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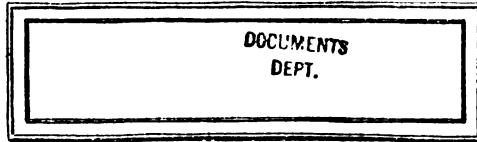
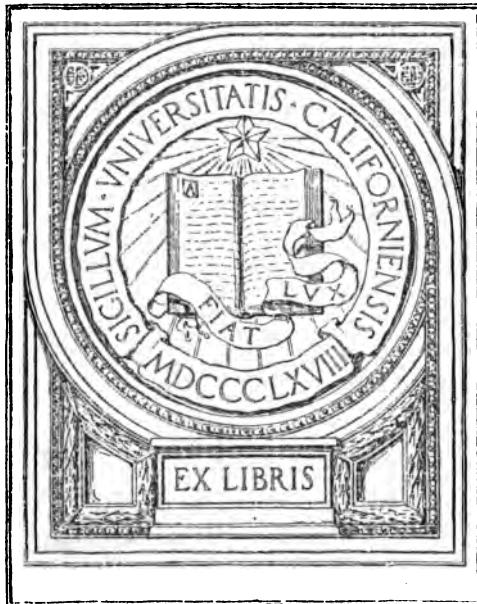
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**STATE OF NEW HAMPSHIRE**

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**CONVENTION**

**TO**

**REVISE THE CONSTITUTION**

**JUNE, 1918**

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UNIV. OF  
CALIFORNIA

**MANCHESTER, N. H.**

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UNIV. OF  
CALIFORNIA

JOURNAL

OF THE

CONVENTION TO REVISE THE  
CONSTITUTION

JUNE, 1918

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CONCORD, N. H., June 5, 1918.

The delegates of the Convention to Revise the Constitution assembled in the hall of the House of Representatives on Wednesday, June 5, 1918, and were called to order by Major William H. Trickey of Tilton.

Prayer was offered by Reverend William Hathaway Pound, delegate in the Convention from Wolfeboro.

*Mr. Rosecrans W. Pillsbury of Londonderry.*—In this day when patriotism stands above partisanship, when we are all devoted to the common weal, we desire to honor men for their worth. I feel honored to present to this Convention as temporary chairman a man who fifty-nine years ago served in this hall as a member of the Legislature, a man who has served his State in the Halls of Congress, a man who has been a citizen we have all delighted to honor. It gives me great pleasure to present to you the name of Hon. Hosea W. Parker of Claremont as temporary presiding officer of this Convention.

On motion of Mr. Rosecrans W. Pillsbury of Londonderry, Hon. Hosea W. Parker of Claremont was chosen temporary chairman of the Convention by acclamation.

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Messrs. Rosecrans W. Pillsbury of Londonderry and James F. Brennan of Peterborough were chosen a committee to escort the temporary chairman to the chair.

On assuming the chair, Mr. Parker addressed the Convention as follows:

*Gentlemen of the Convention:*

Be assured that I duly appreciate the distinguished honor which you have conferred upon me. I thank you sincerely from the bottom of my heart for this great honor. We have gathered here today, gentlemen, to discharge an important duty to our State. Let us all act together, having in mind the best interests of the State we love so well. It is not for me, gentlemen, to take up your time or attention with any extended remarks. I therefore await your pleasure.

On motion of Mr. James O. Lyford of Concord, Mr. A. Chester Clark of Concord was chosen temporary secretary.

Mr. Clark appeared and qualified as temporary secretary.

On motion of Mr. William T. Kinney of Claremont:

*Resolved*, That a committee, consisting of twenty delegates, be appointed by the chair to inquire who are elected delegates to this Convention and that each county shall be represented thereon.

The following named gentlemen were appointed as such committee:

COMMITTEE ON CREDENTIALS.

SULLIVAN COUNTY.

William E. Kinney of Claremont.  
Murvin A. Bailey of Sunapee.

WEDNESDAY, JUNE 5, 1918.

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**ROCKINGHAM COUNTY.**

Ernest G. Templeton of Exeter.  
Oliver B. Marvin of Newcastle.

**STRATFORD COUNTY.**

Elisha C. Andrews of Somersworth.  
James Marshal of Dover.

**CARROLL COUNTY.**

Arthur E. Kenison of Ossipee.  
Charles H. Morey of Hart's Location.

**BELKNAP COUNTY.**

Edgar W. Smith of Center Harbor.  
William H. Moses of Tilton.

**MERRIMACK COUNTY.**

Henry H. Metcalf of Concord.  
Harry G. Dean of Danbury.

**HILLSBOROUGH COUNTY.**

Orville D. Fessenden of Brookline.  
John J. McAllister, Jr., of Manchester.

**CHESTER COUNTY.**

George W. Pierce of Winchester.  
Stephen A. Bullock of Richmond.

**GRAFTON COUNTY.**

Edward Woods of Bath.  
Elmer E. Woodbury of Woodstock.

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## COOS COUNTY.

George E. Hutchins of Berlin.

Charles E. Philbrook of Shelburne.

Mr. Kinney of Claremont, for the Committee on Credentials, reports that *prima facie* evidence has been presented to them of the election of the following named gentlemen as delegates to this Convention:

Acworth . . . . .	Henry A. Clark
Albany . . . . .	Frank O. Hammond
Alexandria . . . . .	Perley H. Sleeper
Allenstown . . . . .	Fred S. Eastman
Alstead . . . . .	Chauncey J. Newell
Alton . . . . .	Ellsworth H. Rollins
<u>Amherst</u> . . . . .	Jonathan S. Lewis
Andover . . . . .	George W. Stone
Antrim . . . . .	James E. Perkins
Atkinson . . . . .	Eugene E. Sawyer
Auburn . . . . .	Henry C. Sanborn
Barnstead . . . . .	George J. Whitney
Barrington . . . . .	Frank McDaniel
Bartlett . . . . .	Eben O. Garland
Bath . . . . .	Edward Woods
Bedford . . . . .	Edmund B. Hull
Belmont . . . . .	Brock Dearborn
Bennington . . . . .	Ansel C. Smart
Benton . . . . .	Lebina H. Parker
Berlin — Ward 1 . . . . .	George W. Gordon
	Joseph Howard Wight
	Henry M. Moffett
Ward 2 . . . . .	Philippe E. Beaudoin
	William Robinson Brown
	James Clare Curtis
Ward 3 . . . . .	Andrew P. Berquist
	John A. Burbank
	Ernest J. Couture

Berlin — Ward 4 . . . . .	George E. Hutchins
Bethlehem . . . . .	Walter H. Clark
Boscawen . . . . .	Willis G. Buxton
Bow . . . . .	Robert W. Upton
Bradford . . . . .	Frank J. Peaslee
Brentwood . . . . .	Burton L. Smith
Bristol . . . . .	John R. Connor
Brookfield . . . . .	Guy L. Churchill
Brookline . . . . .	Orville D. Fessenden
Campton . . . . .	Willard C. Pulsifer
Canaan . . . . .	James B. Wallace
Candia . . . . .	Benjamin F. Lang
Canterbury . . . . .	William W. Wheeler
Carroll . . . . .	William H. Gall
Center Harbor . . . . .	Edgar W. Smith
Charlestown . . . . .	Frank W. Hamlin
Chatham . . . . .	Hazen Chandler
Chester . . . . .	George D. Rand
Chesterfield . . . . .	Harold E. Randall
Chichester . . . . .	Frederick B. Shaw
Claremont . . . . .	Ira G. Colby
	William E. Kinney
Clarksville . . . . .	Hiram G. Sherman
Colebrook . . . . .	Henry E. Charron
	Hosea W. Parker
	George W. Paul
	Charles L. Felton
	John D. Annis
Columbia . . . . .	Darwin Lombard
Concord — Ward 1 . . . . .	John Gray
Ward 2 . . . . .	Elmer U. Sargent
Ward 3 . . . . .	Charles P. Coakley
Ward 4 . . . . .	Phileas P. Belanger
	Levin J. Chase
	John P. George
	James O. Lyford
	Frank S. Streeter

Concord — Ward 5 . . . . .	Arthur H. Chase Fred C. Demond DeWitte C. Howe John H. Brown Arthur F. Sturtevant
Ward 6 . . . . .	Albert W. Thompson Frank P. Quimby Henry H. Metcalf
Ward 7 . . . . .	Edson J. Hill Charles J. French Joab N. Patterson
Ward 8 . . . . .	James L. Gibson Lorin D. Goulding Arthur R. Shirley
Ward 9 . . . . .	William E. Beaman Edgar W. Davis William B. Aldrich
Conway . . . . .	Harry G. Dean Willis C. Tuck Charles R. Brown
Cornish . . . . .	Harlan C. Smith Edmund R. Angell
Croydon . . . . .	Benjamin T. Bartlett Walter R. Sanders
Dalton . . . . .	Edwin B. Weston
Danbury . . . . .	Azro H. Schoolcraft
Danville . . . . .	William E. Rines
Deerfield . . . . .	Clarence I. Hurd
Deering . . . . .	Eugene Smart
Derry . . . . .	Frank I. Smith
Dorchester . . . . .	Charles A. Wentworth
Dover — Ward 1 . . . . .	Dwight Hall
Ward 2 . . . . .	John T. Welch
Ward 3 . . . . .	James Marshall
Ward 4 . . . . .	Thomas Sherry James H. McKeon

Dover — Ward 5 . . . . .	John H. Wesley
Dublin . . . . .	Harry A. G. Abbe
Dummer . . . . .	Fred U. Woodward
Dunbarton . . . . .	John Bunten
Durham . . . . .	Charles H. Pettee
East Kingston . . . . .	Frank B. Tilton
Easton . . . . .	Charles A. Young
Eaton . . . . .	Walter D. Stuart
Effingham . . . . .	Richard Dearborn
Ellsworth . . . . .	Henry B. Keniston
Enfield . . . . .	Joseph B. Perley
Epping . . . . .	Joseph A. Edgerly
Epsom . . . . .	Charles F. Haynes
Errol . . . . .	Nathaniel R. Leach
Exeter . . . . .	Charles S. Bates
	John Scammon
	Ernest G. Templeton
	Albert S. Wetherell
Farmington . . . . .	Eugene P. Nute
	John Waldron
Fitzwilliam . . . . .	Clarence M. Damon
Francestown . . . . .	Edwin W. Farnum
Franconia . . . . .	Philip W. Ayres
Franklin — Ward 1 . . . . .	Gilbert Hodges
Ward 2 . . . . .	Thomas N. Lapointe
Ward 3 . . . . .	Hector Morin
	Walter F. Duffy
	Omar A. Towne
Freedom . . . . .	William A. Bennett
Fremont . . . . .	Stephen A. Frost
Gilford . . . . .	George W. Morrill
Gilmanton . . . . .	Royal L. Page
Gilsum . . . . .	Osmon H. Hubbard
Goffstown . . . . .	Benjamin F. Greer
	Frank A. Parker
	Alfred R. Evans
	Thomas H. McHugh

Goshen	.	.	.	Willard R. Whitney
Grafton	.	.	.	Fred Gage
Grantham	.	.	.	Perley Walker
Greenfield	.	.	.	Edwin C. Hopkins
Greenland	.	.	.	Nathaniel P. Ordway
Greenville	.	.	.	Louis O. Boisvert
Groton	.	.	.	Willard H. Hunkins
Hampstead	.	.	.	Frank W. Emerson
Hampton	.	.	.	Joseph B. Brown
Hampton Falls	.	.	.	Walter B. Farmer
Hancock	.	.	.	Cristy H. Duncan
Hanover	.	.	.	Edwin J. Bartlett
Harrisville	.	.	.	Elwyn W. Seaver
Hart's Location	.	.	.	Charles H. Morey
Haverhill	.	.	.	Luther C. Butler
				William E. Lawrence
				Herbert E. Smith
Hebron	.	.	.	Frank O. Morse
Henniker	.	.	.	Curtis B. Childs
Hill	.	.	.	Ellon S. Little
Hillsborough	.	.	.	Stillman H. Baker
				George W. Haslet
Hinsdale	.	.	.	William G. Booth
Holderness	.	.	.	Nathan B. Cox
Hollis	.	.	.	Daniel W. Hayden
Hooksett	.	.	.	Eugene S. Head
Hopkinton	.	.	.	Henry C. Davis
Hudson	.	.	.	John J. Baker
Jackson	.	.	.	Walter I. Wentworth
Jaffrey	.	.	.	George H. Duncan
				Will J. Mower
Jefferson	.	.	.	George C. Evans
Keene — Ward 1	.	.	.	William J. Callahan
				Charles M. Norwood
Ward 2	.	.	.	Charles A. Madden
				Jerry P. Wellman

Keene — Ward 3 . . . . .	Frank Huntress
Ward 4 . . . . .	William H. Watson
Ward 5 . . . . .	Edward A. Kingsbury
Kensington . . . . .	Wallace E. Mason
Kingston . . . . .	Herbert M. Prescott
Laconia — Ward 1 . . . . .	Henry L. Sweeny
Ward 2 . . . . .	Arthur F. Clough
Ward 3 . . . . .	William B. Johnson
Ward 4 . . . . .	Arthur W. Spring
Ward 5 . . . . .	Elmer S. Tilton
Ward 6 . . . . .	Fletcher Hale
Lancaster . . . . .	William A. Plummer
Landaff . . . . .	Lester Philbrook
Langdon . . . . .	Fred A. Young
Lebanon . . . . .	Charles F. Locke
Lee . . . . .	Charles H. Perkins
Lempster . . . . .	John T. Amey
Lincoln . . . . .	Bernard Jacobs
Libson . . . . .	Merrill Shurtleff
Litchfield . . . . .	Charles E. Noyes
Littleton . . . . .	William Hall
Londonderry . . . . .	Thomas P. Waterman
Loudon . . . . .	Fred A. Jones
	Frank U. Bell
	Alfred E. Lord
	John Byrne
	Josiah True Bartlett
	Arthur L. Benway
	Alfred Stanley
	William E. Price
	George W. Pike
	Norris C. Griffin
	Fred H. English
	Harry M. Morse
	George A. Veazie
	Rosecrans W. Pillsbury
	Lewis L. Towle

Lyman . . . . .	John E. Clough
Lyme . . . . .	David A. Grant
Lyndeborough . . . . .	Charles H. Tarbell
Madbury . . . . .	William H. Knox
Madison . . . . .	Walter Kennett
Manchester — Ward 1	Robert R. Chase
	Robert E. Wheeler
	Allan M. Wilson
Ward 2 . . . . .	Jesse B. Pattee
	Fred S. Pillsbury
	Victor W. Roy
	Harry W. Spaulding
Ward 3 . . . . .	Albert O. Brown
	Ludger J. Deschenes
	Frank E. Farrell
	Frank C. Livingston
	Horace A. Redfield
	Carl E. Rydin
Ward 4 . . . . .	Marshall C. Blanchard
	John B. Cavanaugh
	Hertel Parisneau
	Herman A. Schellenberg
	Eugene B. Worthen
Ward 5 . . . . .	Frank X. Carroll
	James H. Collins
	William B. Eagan
	William F. Glancy
	John J. Gorham
	Richard H. Horan
	Peter J. Magan
	Daniel J. McCarthy
	Michael J. McNulty
Ward 6 . . . . .	Andrew B. Bunton
	George I. McAllister
	John J. McAllister, Jr.
	Richard R. Allen
	Frank P. Newman

Manchester — Ward 7 . . . . .	Martin L. Mahoney John J. Ryan Patrick J. Ryan
Ward 8 . . . . .	Joseph Chevrette John J. Connor Mark B. Flanders Cornelius J. Sullivan, Jr.
Ward 9 . . . . .	Charles E. Chapman Samuel F. Davis Clinton I. Dow Robert Edgar James A. Sayers
Ward 10 . . . . .	William McElroy Frank H. Emerson Henry Weber
Ward 11 . . . . .	George J. Gingras Charles J. McLaughlin John G. Whelpley
Ward 12 . . . . .	Joseph Laberge Cyprien J. Belanger Henry Hebert Charles A. Pecor
Ward 13 . . . . .	Eugene Bailly Noel Devost Adelard J. Francoeur Remi Gagnon William M. McCarthy
Marlborough . . . . .	Merrill Mason
Marlow . . . . .	Rockwell F. Craig
Mason . . . . .	Tracey A. Eaton
Meredith . . . . .	John F. Beede
Merrimack . . . . .	James C. F. Hodgman
Middleton . . . . .	Meander H. Davis
Milan . . . . .	Frank M. Hancock
Milford . . . . .	Charles S. Emerson Arthur L. Keyes Benjamin F. Prescott

Milton	.	.	.	Bard B. Plummer
Monroe	.	.	.	Daniel R. Gilchrist
Mont Vernon	.	.	.	Frank O. Lamson
Moultonborough	.	.	.	James E. French
Nashua — Ward 1	.	.	.	Marshall D. Cobleigh Charles J. Hamblett
Ward 2	.	.	.	Elijah R. Shaw Leon T. Robichaud
Ward 3	.	.	.	John P. Lampron Toussaint Ledoux Narcisse H. Salvail
Ward 4	.	.	.	William E. Foisie
Ward 5	.	.	.	Frederick J. Gaffney Stephen L. Hallinan
Ward 6	.	.	.	William J. O'Neil
Ward 7	.	.	.	Curtis R. Bresnahan Fred J. Crowell Jeremiah J. Doyle
Ward 8	.	.	.	Edward Everett Clark Ralph W. Holt John T. Winn
Ward 9	.	.	.	Cleophas Cote Charles Dionne Napoleon Laplante George Theriault
Nelson	.	.	.	Fred A. Scott
New Boston	.	.	.	George A. Prince
Newbury	.	.	.	Joseph A. Donigan
Newcastle	.	.	.	Oliver B. Marvin
New Durham	.	.	.	Dana P. Jones
Newfields	.	.	.	Bert P. Doe
New Hampton	.	.	.	Bert G. Ordway
Newington	.	.	.	Jackson M. Hoyt
New Ipswich	.	.	.	Philip F. Gordon
New London	.	.	.	Justin O. Wellman
Newmarket	.	.	.	Louis Philippe Beaudet

Newmarket . . . .	George H. Towle, Jr.
Newport . . . .	George H. Willey
Newton . . . .	Jesse M. Barton
Northfield . . . .	John L. Dame
North Hampton . . . .	Frank A. Rogers
Northumberland . . . .	John E. Hayford
Northwood . . . .	Albert S. Carter
Nottingham . . . .	Thomas B. Shaw
Orange . . . .	Arthur C. Aldrich
Orford . . . .	Antipus H. Curtis
Ossipee . . . .	John G. Towle
Pelham . . . .	Arthur W. McDaniel
Pembroke . . . .	Frank H. Wendell
Peterborough . . . .	Alvah M. Stevens
Piermont . . . .	Arthur E. Kenison
Pittsburg . . . .	Forest E. Kelley
Pittsfield . . . .	Lawrence C. Bates
Plainfield . . . .	Edward M. Fowler
Plaistow . . . .	Charles B. Rogers
Plymouth . . . .	Mortier L. Morrison
Portsmouth — Ward 1	James F. Brennan
Ward 2 . . . .	Arlo E. Barnard
Ward 3 . . . .	Charles H. Johnson
	Richard B. Bartlett
	Frank H. Sargent
	Frank W. True
	Fred P. Hill
	Alvin F. Wentworth
	Frank J. Beal
	Thomas Entwistle
	Edward Percy Stoddard
	Alfred F. Howard
	Calvin Page
	Frederick M. Sise
	William Cogan
	Thomas A. Ward

Portsmouth — Ward 4 . . .	William J. Cater
Ward 5 . . .	Eugene B. Eastman
Randolph . . .	Laban M. Watson
Raymond . . .	David L. Fellows
Richmond . . .	Stephen A. Bullock
Rindge . . .	Harris H. Rice
Rochester — Ward 1 . . .	Wilber F. Cole
Ward 2 . . .	Ernest C. Wescott
Ward 3 . . .	John Levi Meader
Ward 4 . . .	Alcide Bilodeau
Ward 5 . . .	John Young
Ward 6 . . .	Leslie P. Snow
Rollinsford . . .	Roy C. Horne
	Charles W. Varney
	William F. McNally
	James F. Philpott
Roxbury . . .	Thomas M. Dillingham
Rumney . . .	Edward A. Elliott
Rye . . .	Alba R. H. Foss
Salem . . .	Frank D. Wilson
Salisbury . . .	Chester T. Woodbury
Sanbornton . . .	John Shaw
Sandown . . .	Robert M. Wright
Sandwich . . .	John W. Lovering
Seabrook . . .	Charles B. Hoyt
Sharon . . .	Phineas F. Beckman
Shelburne . . .	Calvin A. Hurd
Somersworth — Ward 1 . . .	Charles E. Philbrook
Ward 2 . . .	Elisha C. Andrews
Ward 3 . . .	Haven Doe
Ward 4 . . .	Laurent J. Gaudreau
Ward 5 . . .	John Parsons
South Hampton . . .	Clement P. Roy
Springfield . . .	Peter M. Gagne
Stark . . .	Charles F. Floyd
	Curtis J. Nichols
	Ervin J. Cole

Stewartstown	.	.	.	Leon D. Ripley
Stoddard	.	.	.	Henry E. Spalding
Strafford	.	.	.	Alvin E. Thomas
Stratford	.	.	.	John C. Hutchins
Stratham	.	.	.	Charles W. Whitcomb
Sullivan	.	.	.	Eugene Marston
Sunapee	.	.	.	Murvin A. Bailey
Surry	.	.	.	Mason A. Carpenter
Sutton	.	.	.	Herbert L. Pillsbury
Swanzey	.	.	.	Frank S. Faulkner
Tamworth	.	.	.	Martin L. Schenck
Temple	.	.	.	Charles W. Tobey
Thornton	.	.	.	John F. Merrill
Tilton	.	.	.	William H. Trickey
				William H. Moses
Troy	.	.	.	Asa C. Dort
Tuftonboro	.	.	.	John A. Edgerly
Unity	.	.	.	Frank Reed
Wakefield	.	.	.	Arthur L. Foote
Walpole	.	.	.	Alfred Clarke
				William J. King
Warner	.	.	.	Mason T. Ela
Warren	.	.	.	Frank C. Clement
Washington	.	.	.	Sumner N. Ball
Waterville	.	.	.	John H. Foster
Weare	.	.	.	George H. Eastman
Webster	.	.	.	Henry F. Pearson
Wentworth	.	.	.	David L. Goodwin
Wentworth's Location	.	.	.	Lewis H. Coy
Westmoreland	.	.	.	Asa A. Whitman
Whitefield	.	.	.	Edgar M. Bowker
Wilmot	.	.	.	Wesley S. Wells
Wilton	.	.	.	Joshua F. Frye
Winchester	.	.	.	LaFell Dickinson
				George W. Peirce
Windsor	.	.	.	Frederick J. Hughes
Windham	.	.	.	Charles I. Nelson

Wolfeboro	.	.	.	Joseph T. Meader
				William Hathaway Pound
Woodstock	.	.	.	Elmer E. Woodbury

The committee also report that Mr. George W. Gordon of Berlin and Mr. Edson J. Hill of Concord have died and that Mr. Frank J. Peaslee of Bradford has resigned. At special elections Mr. Everett Kittredge has been elected a delegate from Bradford, and Mr. William A. Lee has been elected from Ward Eight, Concord.

The committee recommend that Mr. Everett Kittredge of Bradford, and Mr. William A. Lee of Ward Eight, Concord, be seated as delegates to fill vacancies.

The committee further report that no delegates have been elected from Livermore and Bridgewater, and that on account of a tie vote no certificate of election has been issued in Ashland, and only one certificate of election has been issued in Hanover, which is entitled to two delegates.

The report of the committee was accepted and its recommendations adopted.

On motion of Mr. Duncan of Jaffrey, the following resolution was adopted:

WHEREAS, The election for the choice of delegates to this Convention in Ashland and Hanover resulted in a tie vote, with no choice, thereby depriving the town of Ashland of representation herein and the town of Hanover of one half of its representation, be it

*Resolved*, That Albion Kahler and Theodosius S. Tyng, both of Ashland, and Horace F. Hoyt and Frank A. Updyke, both of Hanover, be seated in this Convention as delegates from their respective towns, with one half vote each, and with full pay.

The roll of the Convention was then called and 426 gentlemen answering to their names, a quorum of the Convention was declared present.

*Mr. Snow of Rochester.*—I am sure it is the desire of this Convention to have a permanent organization as speedily as possible. We have no time, gentlemen, to waste in complimentary votes or useless balloting. We are fortunate in having one member whose fitness for the high office of President is recognized by us all, a man of large experience, a man of sound judgment, a lawyer, a financier, and a public servant of tried capacity.

Mr. Snow of Rochester moved that the Convention proceed to the election of a President of the Convention, and that the temporary secretary be instructed to cast one ballot as the ballot of the Convention for Hon. Albert O. Brown of Manchester for President of the Convention. The motion was seconded by Mr. Harry W. Spaulding, Manchester.

Question being on the motion of Mr. Snow of Rochester,—

On a *viva voce* vote, the motion of Mr. Snow of Rochester was adopted.

Total number of ballots cast .....	1
Necessary to a choice .....	1
Hon. Albert O. Brown of Manchester had .....	1

and Hon. Albert O. Brown of Manchester was declared elected President of the Convention.

Messrs. Streeter of Concord and Hutchins of Stratford were appointed to conduct the President-elect to the chair.

(The President in the Chair.)

On assuming the chair, Mr. Brown addressed the Convention as follows:

**GENTLEMEN OF THE CONVENTION:**

To be selected to preside over the deliberations of those to whom the people of New Hampshire have delegated the power to revise their ancient Constitution is a great honor. In the nature of things, it can come to few men. Indeed, the roll of Convention Presidents for the whole period of the history of the State bears but nine names. For the place you have assigned to me

in this honorable succession I return my sincere thanks and my promise of faithful service.

This Convention has fallen upon solemn times. The nations are at war. Upon the ocean and upon the fields of France, our first ally, we are face to face with a formidable and malign enemy, whose purpose is the spoilation of the world. Should this design seem incredible, it is only necessary to remember that the plunder of contiguous peoples and the annexation of their territory have for more than two hundred years been the business and pastime of the Kingdom of Prussia. Meanwhile, by force and diplomacy based on force she has consolidated nearly thirty states into the foremost military power of this or any age.

It is not strange that the warlike plans of a people of such antecedents and achievements should be broad and comprehensive, if not universal. That they extend at least to us has been established out of the mouth of him who alone can make war in their support. And he has proved his words by monstrous deeds. He has destroyed our people without regard to sex or age as, exercising the rights of neutrals, they sailed the open seas. He filled our land with spies, sowed the seeds of insurrection among us, and urged other nations to attack us while his accredited representatives were yet guests in our official family. Insult followed insult and injury followed injury, until from self-respect and in self-defense we turned from the arts of peace to the arts of war.

From the first our sympathy went out to those who were struggling against the common enemy of free governments; but sentiment was powerless in the presence of unconscionable profits. Year in and year out a great fleet and great armies withstood a military machine that seemed to be irresistible and saved our shores from harm. And we accepted the benefit but declined the burden of the service. Moreover, although in our own person we were smitten on the one cheek, we failed to protect the other. It is plain we cannot regain our former position of influence and advantage, but we can in a large measure atone for our defaults. We can as one man the more fully devote our time, our means and our all to the everlasting defeat of the policy of "blood and iron."

Once in every generation America has fought a great war and concluded peace, but she has never concluded peace except upon her own terms. She is determined not to do so now, and she has counted the cost. So far the Germans and their subordinates have more than held their own with the allies. They are not greatly weakened in numbers, are not naked or hungry or

ill equipped. On the other hand, it may be doubted whether they have passed their highest efficiency. In addition to their own ample resources in men and materials, they now have behind them and largely at their command all those of eastern Europe and western Asia, the extent of which it is difficult to comprehend. But America is in the war and must "see it through."

A crisis is impending. It may be one of many. But upon success or failure of this season's campaign the final result is likely to depend. America can decide the issue. Her men, her money and her supplies, if in sufficient quantity, will turn the tide. It is our duty to make the quantity sufficient, and there is little room for any activity that does not in some degree contribute to that end.

What action this Convention shall take in the premises is for you to determine. It is not probable, however, that any proposed change in our fundamental law can be supported as a war measure. Therefore it must be agreed that as little time as possible should be spent here and none whatever wasted. Within this limitation several courses suggest themselves, any one of which it is safe to pursue. But the Convention is entirely in your hands and I await your pleasure.

On motion of Mr. Streeter of Concord, the following resolution was adopted:

*Resolved*, That Messrs. A. Chester Clark of Concord and Bernard W. Carey of Newport be elected Secretary and Assistant Secretary of the Convention respectively by acclamation.

Messrs. A. Chester Clark of Concord and Bernard W. Carey of Newport appeared and qualified as Secretary and Assistant Secretary respectively.

On motion of Mr. Quimby of Concord, the following resolution was adopted:

*Resolved*, That a committee, consisting of twenty delegates, each county to be represented thereon, be appointed by the Chair to select and report to the Convention the names of persons to fill the offices of Sergeant-at-Arms, Chaplain, four Doorkeepers, Warden of the Coat-Room, Assistant Warden of

the Coat-Room, an Official Stenographer, and an Assistant Stenographer.

The President appointed the following named gentlemen as members of such committee:

**COMMITTEE ON PERMANENT ORGANIZATION.**

Quimby of Concord.  
Livingston of Manchester.  
Entwistle of Portsmouth.  
Cobleigh of Nashua.  
Perkins of Antrim  
Gray of Columbia.  
Sherry of Dover.  
Nute of Farmington.  
Philbrook of Laconia.  
McNally of Rollinsford.  
Wellman of Keene.  
Ball of Washington.  
Connor of Manchester.  
Sanders of Derry.  
Perley of Enfield.  
Edgerly of Tuftonborough.  
Bilodeau of Rochester.  
Head of Hooksett  
Thompson of Concord.  
Roy of Somersworth.

On motion of Mr. Gibson of Conway, the following resolution was adopted:

*Resolved*, That a committee of twenty delegates, each county to be represented thereon, be appointed by the Chair to report rules for the government of this Convention, and recommend methods of procedure, and until the report of this committee shall have been accepted and adopted the rules of the Convention of 1912 be adopted as the rules of this Convention.

The President appointed the following named gentlemen as members of such committee:

COMMITTEE ON RULES.

Gibson of Conway.  
Sherman of Claremont.  
George of Concord  
Weston of Derry.  
Wesley of Dover.  
Childs of Henniker.  
Mason of Keene.  
Chase of Manchester.  
Horan of Manchester.  
Pike of Lisbon.  
Pillsbury of Manchester.  
Wescott of Rochester.  
Thomas of Stratford.  
Whitcomb of Stratham.  
Stoddard of Portsmouth.  
King of Walpole.  
Paul of Claremont.  
Lombard of Colebrook.  
Robichaud of Nashua.  
Young of Laconia.

Mr. Lyford of Concord offered the following resolution:

WHEREAS, The United States is engaged in a world war for the preservation of civilization and for the perpetuity of free institutions — a war that will tax our resources to the utmost, a war that calls for the undivided loyalty and support of every citizen of the Republic, and the sacrifice of all material and personal considerations in the interest of humanity, and a war that has already brought German atrocities to our shores; and,

WHEREAS, Our thoughts are with our sons, our brothers and our kindred, who are shedding their blood on the bat-

tiefelds of France, and whose efforts in our behalf and in behalf of the democracy of the world, should have our constant consideration; and

WHEREAS, The basic reason for calling this Convention is the desire of the people that the Constitution be amended so that the Legislature may have greater latitude in levying taxes; therefore, in view of these conditions, be it

*Resolved*, That the work of the present session of this Convention be confined to two amendments of the Constitution — an amendment giving the General Court full authority to specially assess, rate and tax growing timber without regard to the rule of proportion otherwise required in taxation; and an amendment providing for an income tax, regardless of the rule of proportion otherwise required in taxation, which shall provide for legislative authority to specially assess, rate and tax money at interest, including money in savings banks and other banks; and that when action on these amendments has been taken, the Convention adjourn, subject to the call of a committee consisting of the President of this Convention and one delegate from each county, to be appointed by the Chair, a majority of whom are hereby empowered to issue a call for the Convention to reassemble.

Question being on the resolution of Mr. Lyford of Concord,—

*Mr. Lyford of Concord.*—Mr. President, if the chair will indulge me, I should like to make a brief statement on this resolution, and I pledge you to occupy but a very few minutes. This resolution provides for the consideration of two tax amendments; one will specially rate, assess and tax growing wood and timber, and the other will provide for a general income tax, which will also include the classification of property, so that intangibles can be taxed at a different rate by the Legislature. Now, then, the first amendment has already passed the test of a Constitutional Convention. It is part of the amendment that was submitted in 1912, which failed by only a few votes of being ratified. No time will be required in considering it as

to its phraseology. It is drawn as well as it can be drawn; it is drawn to accomplish this purpose, and I understand it is acceptable to those who desire such an amendment offered. Another amendment, drawn by the tax commission, which covers the income tax and also the tax on intangibles, has had an almost unofficial sanction by members of the Court, and it probably could not be improved, and that, too, if it is the desire of the Convention to adopt it, will require no time in the consideration of its phraseology. Now, then, as to the scope of this resolution. As some of you are aware, I have been of the opinion that probably no amendment that we submit at this time, when our whole attention is focused on the war, when our casualty lists are constantly increasing, will receive the attention of the people when it is submitted to them for consideration. But in deference to an expressed desire that these two amendments should be considered, I am waiving my views on this question, that the Convention may confine itself to these two issues. Now, under this resolution, no member of the Convention is committed to either of these tax propositions. It is possible under this resolution to adopt one of these amendments and reject the other. It is possible under this resolution, if it is the sense of the majority of this Convention, to reject both propositions. I know there has been a feeling that we should adjourn without undertaking to submit any amendments, but this resolution still leaves open to you, after you have considered it, to decide that question that way, if the majority so pleases. I hope that no amendment will be offered to this resolution, or at least that no amendment if offered will be adopted. If we are to go on here and submit a number of amendments—amendments that men think are just as important as other men think their amendments are—we shall waste the time of this Convention and the money of the State. I believe that under this resolution, going into a Committee of the Whole, we can consider, first, the resolution in regard to the tax on growing timber, lumber and wood, and having acted upon that—which we can do in one day, tomorrow, or we might get at it this afternoon—we can then indicate what our desire is in acting upon the other amendment, and that, by Friday night, we can close the work of this Convention, and then leave it to a time when our attention can be given to these other propositions that members want to propose at a subsequent call of this Convention.

*Mr. McNulty of Manchester.*—Mr. President and Gentlemen of the Convention, I am not anxious to prolong this Convention, but I do not think taxation is the only vital question we are called upon to consider. Now, this war in Europe we all deplore,

but it is well that we keep our house in order. There is a campaign pending in which we are to elect members of Congress—at least, I have seen it in the papers that they hope to change the complexion of our national government this fall. Now, then, why not postpone the election of congressmen? Why not dispense with the election that is coming? State matters are important just as well as national matters. There are important questions to be considered here, gentlemen. The Constitution of New Hampshire would stand amendment. I have been a member of the New Hampshire House of Representatives and have seen good measures passed in that body, only to be killed in the Senate and never more heard of. Now, gentlemen, is it right that a minority should control New Hampshire? It is done by our legislative methods. There are other things to consider. If the gentleman from Concord, Mr. Lyford, would offer an amendment to consider making our legislature evenly balanced, I would be willing to say I would accept his resolution on taxation. Taxation isn't everything in this world. There are some things more vital than taxation of timber lands. Why, the taxation of real estate isn't right. Taxation is one of the most puzzling problems that was ever put before a human being. We all try to dodge it. These men that are interested in timber lands have got this thing all fixed for us, gentlemen; there is no question about it. They are all men of wealth. Twenty years ago you could get a thousand feet of lumber for ten dollars, and today it is forty or fifty a thousand, depending on the kind of lumber you are buying; and, gentlemen, do not adjourn this Convention because the war is going on. War is with us, as the President of the Convention has suggested. Germany has her Reichstag convene and pass laws, and in England Parliament convenes and passes laws; and there are plenty of amendments to be added to this Constitution which would make New Hampshire a much more democratic state than it is.

*Mr. Metcalf of Concord.*—I haven't any speech to unload upon the Convention. I suppose my colleague from Concord, Mr. Lyford's, resolution is before the Convention. He says he doesn't want any amendment offered to it, but I propose to submit one amendment, and I wish he would accept it, and if he shows his usual good judgment he will. I wish to amend his resolution by changing the phraseology so that it shall permit the Convention to deal with three amendments instead of two, and I will indicate the purport of my amendment. I propose that this Convention, in addition to the consideration of these two amendments, consider another, to the effect that all future amendments to the Constitution of New Hampshire be submitted

to the people for adoption by vote of the Legislature of the State by a two-thirds majority. The idea that I have in mind is to get rid of this business of calling Constitutional Conventions every seven years and allow amendments to be submitted by the Legislature, which, with all due deference to us, is just as capable a body as this. That will avoid a great deal of expense and it will enable this Convention when it adjourns to adjourn *sine die* and not come together again, saving a large amount of money in that respect; and if it appears to the next Legislature that amendments are needed by the State, it can submit them to the people and they can be adopted just as readily and just as quickly as though this Convention comes together again, at large expense to the State, and proposes some amendments. Now, if the gentleman from Concord, Mr. Lyford, will accept that amendment—I haven't put it in writing, but that is the substance of it—I shall be glad to vote for this resolution.

*Mr. Duncan of Jaffrey.*—I have the same amendment prepared in writing and I will offer it.

Mr. Duncan of Jaffrey offered the following amendment to the resolution of Mr Lyford of Concord :

Strike out the word "two" and substitute therefor the word "three" and insert after the words "other banks" the words, "and an amendment allowing the General Court to submit constitutional amendments," so that the resolution as amended shall read as follows:

WHEREAS, The United States is engaged in a world war for the preservation of civilization and for the perpetuity of free institutions—a war that will tax our resources to the utmost, a war that calls for the undivided loyalty and support of every citizen of the Republic, and the sacrifice of all material and personal considerations in the interest of humanity, and a war that has already brought German atrocities to our shores; and

WHEREAS, Our thoughts are with our sons, our brothers and our kindred, who are shedding their blood on the battlefields of France, and whose efforts in our behalf and in behalf of the democracy of the world should have our constant consideration; and,

WHEREAS, The basic reason for calling this Convention is the desire of the people that the Constitution be amended so

that the Legislature may have greater latitude in levying taxes; therefore, in view of these conditions, be it

*Resolved*, That the work of the present session of this Convention be confined to three amendments of the Constitution—an amendment giving the General Court full authority to specially assess, rate and tax growing timber without regard to the rule of proportion otherwise required in taxation; and an amendment providing for an income tax, regardless of the rule of proportion otherwise required in taxation, which shall provide for legislative authority to specially assess, rate and tax money at interest, including money in savings banks and other banks; and an amendment allowing the General Court to submit constitutional amendments; and that when action on these amendments has been taken, the Convention adjourn, subject to the call of a committee consisting of the President of this Convention and one delegate from each county, to be appointed by the Chair, a majority of whom are hereby empowered to issue a call for the Convention to reassemble.

Question being on the amendment offered by Mr. Duncan of Jaffrey to the resolution offered by Mr. Lyford of Concord,—

*Mr. Lyford of Concord.*—I have been asked by the author of this amendment to accept it. This opens up the very thing that we desired and hoped to avoid. It opens up a discussion, which, in permitting an amendment of that kind, would mean almost as many opinions as there are members of the Convention. My one reason in confining the work of this Convention to the two tax propositions is that the basic reason for calling this Convention by the people, when they voted for it, was on the subject of taxation. Now, then, the gentleman from Concord, Mr. Metcalf, and the gentleman from Jaffrey, Mr. Duncan, are interested in this amendment. There are others interested in other amendments, which they think just as important as the amendment suggested by the gentleman from Ward Seven, Concord. If you admit that, you, out of courtesy, should admit others, the initiative and referendum, perhaps a question of the election of judges by the people, the reduction of the House of Representatives, the increase of the Senate, the abolition of the Governor's

Council, and so on, until we have exhausted our appropriation and we have perhaps not agreed upon several amendments. You have got to limit this proposition here or you open the door justly, if this amendment is admitted, to the admission of other questions upon which we are not even agreed as to the form in which they shall be submitted.

*Mr. Brennan of Peterborough.* — I am in sympathy, Mr. President, with the idea that it would be expedient for this State to adopt some mode other than the one we now have to amend the Constitution, and that the initiative step, in my opinion, should be in the Legislature, where most States have it; hence I am not in opposition to the idea formulated so hastily by the gentlemen from Concord and Jaffrey; but I am opposed to having it presented in the way it is, not because it would more conveniently open the door for amendment. A convenient and well-considered mode should be adopted. There are many changes for which the door should be open, and while changes should be made in our Constitution and ought to receive our careful consideration, it is very evident that the delegates and voters are in no frame of mind during this war to give the important questions such consideration; hence we must cut the business off somewhere, and I believe it should be just where this resolution cuts it off, and I believe further that this hurriedly written, haphazard amendment to this carefully prepared resolution would leave it in a very poor, if not ludicrous form. I am not able to determine at the present moment whether this suggested amendment would entirely abolish the Constitutional Convention feature or make the introduction of proposed changes in the Constitution really emanate from both a new kind of a Convention and the Legislature. My friend, the gentleman from Concord, Mr. Metcalf, unfortunately lost his glasses and was not prepared to put it in form, and my friend, the gentleman from Jaffrey, Mr. Duncan, has come to the rescue and helped out; but the form does not satisfy me. My choice on the whole would be to extend the legislative power relative to taxing growing timber and adopting an income tax, and then adjourn until after the war; but if that cannot be, then I must be content to see adjournment without action on any measure.

*Mr. Metcalf of Concord.* — I was not proposing at this time to draft the amendment to the Constitution which I proposed should be considered by this Convention. I was simply offering an amendment to Mr. Lyford's resolution, so that this Convention could proceed to consider the three amendments instead of two. He says his amendments are all ready to be submitted. The amendment which I suggested is not ready to be submitted, but

I want to assure the gentleman from Peterborough that the intention which I have in mind is to get rid of the farce of a Constitutional Convention absolutely, and have amendments submitted hereafter by the Legislature, either by a two-thirds or three-fourths vote, as may be deemed expedient on consideration; but I hope instead that this business of voting every seven years by the people of New Hampshire upon the question, "Is it expedient to call a Convention to revise the Constitution?" where not more than one fourth of the voters ever consider that question at all, will be got rid of; and I believe that is the sentiment of three fourths of the members of this Convention here today, that this work should be abolished for the future. Now, in reference to the admission of any number of amendments if we admit this, you don't preclude the admission of other amendments any more by submitting two than you do by submitting three, and Brother Lyford is a man of sense and he knows it. Now, if we adopt a resolution in this Convention in which we consider an amendment providing for the abolition of Constitutional Conventions and the submission in future of all proposed amendments by proper vote of the Legislature, we get rid of this farcical calling of Conventions, and we get rid of this Convention right away after these three amendments are disposed of; and we don't have to come together again at large expense to the State, but the Legislature which is in session next winter can consider any amendments that may be deemed necessary and submit them to the people if they see fit.

*Mr. Brennan of Peterborough.*—Will the gentleman permit a question?

*Mr. Metcalf of Concord.*—Certainly.

*Mr. Brennan of Peterborough.*—Is he in favor of this amendment, and if he is in favor of this amendment, does he understand this amendment abolishes Constitutional Conventions or makes the introduction of proposed amendments concurrent in the Legislature and in the House of Representatives?

*Mr. Metcalf of Concord.*—I would have it absolutely abolish Constitutional Conventions.

*Mr. Brennan of Peterborough.*—Are you in favor of this amendment?

*Mr. Metcalf of Concord.*—That amendment is really in amendment of the proposed resolution by the gentleman from Concord, Mr. Lyford.

*Mr. Varney of Rochester.*—Mr. President and Gentlemen of the Convention, I believe there exists among the members of this Convention a very strong sentiment, as well as among the people of the State, that this Convention should adjourn without taking

any definite action, and I want to say that I am one of that number. At the time the people voted for a Constitutional Convention this country was at peace. No one ever thought or could foresee at that time that when this Convention was to be held conditions would be so uncertain that the people themselves could not focus attention on the changes or proposed changes in the Constitution or could foresee what conditions the result of the war would bring to the people. Therefore, at this time it seems to me it would be well for this Convention to express its feeling as to whether it is in favor of adjourning the Convention or whether it proposes to stay here and either consider one or two proposed amendments, or several; and I would ask the privilege to offer an amendment to the motion of Mr. Duncan of Jaffrey to amend the resolution of Mr. Lyford of Concord.

Mr. Varney of Rochester offered the following amendment to the motion of Mr. Duncan of Jaffrey, to amend the resolution of Mr. Lyford of Concord:

Strike out all of said resolution beginning with the work "Therefore" and substitute therefor the following:

Therefore, in view of these conditions, be it

*Resolved*, That when this Convention adjourns today, it adjourn to the call of a committee consisting of the President of this Convention and a delegate from each county, to be appointed by the Chair, a majority of whom are hereby empowered to issue such a call for the Convention to reassemble.

Question being on the motion of Mr. Varney of Rochester to amend the motion of Mr. Duncan of Jaffrey, to amend the resolution offered by Mr. Lyford of Concord,—

On motion of Mr. Hutchins of Stratford, the Convention took a recess of one hour.

## AFTER RECESS.

Mr. Varney of Rochester withdrew his motion.

Question being on the amendment offered by Mr. Duncan of Jaffrey to the resolution of Mr Lyford of Concord,—

On a *viva voce* vote, the amendment was not adopted.

Question being on the resolution of Mr. Lyford of Concord,—

*Mr. Tyng of Ashland.*—It seems to me that this resolution is both presumptuous and time-wasting. It is presumptuous because of the implication that it contains everything that is worth while for this Convention to pass upon immediately; time-wasting because we have been forced to talk about the resolution instead of the work we have to do. There is time enough, it seems to me, for this Convention to receive any amendments that are offered, to have them printed, then go on and act upon whatever may be immediately necessary, and adjourn after providing that the members of the Convention may know what they are to deal with when they come together again.

*Mr. Doyle of Nashua.*—I dislike to trespass on sacred ground, Mr. President,—

*The President.*—The gentleman from Nashua, Mr. Doyle, is never a trespasser.

*Mr. Doyle of Nashua.*—Gentlemen of the Convention, I will take but very little of your time. I am against the adoption of the resolution submitted to you by the gentleman from Concord, Mr. Lyford. I think that if there is anything to do here we ought to start in and do the whole of it; start in with the program and finish it, or do what was intimated by the resolution withdrawn by Mr. Varney, adjourn here and now. I believe there is no time for dickering with legislation or anything else. Our time should be used to do what we can, both Democrats and Republicans alike, for our country and our boys and save them and our country. I guess the old pine trees up north and the moneyed men who have invested in the growing pines can stand it a little longer, but we can't stand this terrible slaughter forever. I say, gentlemen, let's determine here and now that we will adjourn, and when this terrible situation is over, and when

victory is ours, which it will be, then let's meet like men and legislate in the interests of our State; and we will have one mind then, and it will not be distracted with this terrible conflict across the waters, and the trying to save a few miserable dollars for the pine growers of New Hampshire.

Mr. Varney of Rochester offered the following amendment to the resolution:

Strike out all after the third preamble and insert the following:

Therefore, in view of these conditions, be it

*Resolved*, That when this Convention adjourns today, it adjourn to the call of a committee consisting of the President of this Convention and a delegate from each county, to be appointed by the Chair, a majority of whom are hereby empowered to issue such a call for the Convention to reassemble.

Question being on the amendment of Mr. Varney of Rochester,—

*Mr. Abbe of Dublin.*—A few days ago I received this letter from a friend of mine: "The rate here a year ago was \$17.50 a thousand, and the list claimed all my property as taxable. It was \$6,000, including a second mortgage for \$1,400 on Melrose property and two life insurance policies for \$2,000 each and a note for \$600. I suppose by Vermont laws all this *was* taxable, but it involved a tax of \$105, which was a large portion of my \$380 income"—twenty-seven per cent. "All who knew about it agreed it was 'enormous,' 'outrageous' and 'unjust.' I consulted a lawyer at Bellows Falls, and he told me not to pay the tax until I heard from him. This was in the summer, and although I wrote twice to him about the matter, requesting him to answer, I never heard a single word. I paid him a dollar, expecting, of course, to pay more if he accomplished anything. I think he didn't want to do anything for fear of making himself unpopular, but he should have told me so. When tax day came I was very anxious, and at first refused to pay, but when the constable made me a call one evening and gave me palpitation of the heart by his threats of imprisonment, I couldn't hold out.

Harry and Frances said I was too old to fight! So Frances borrowed money at the bank and paid the tax, and I have only just begun to recover from the loss, and I'm sure my health suffered seriously from the long strain."

Now, gentlemen, the State that is guilty of that act, it seems to me, so far as cases like this are concerned, should wrap the garments of mourning about its body politic, and lament the departure of its own justice and mercy. But the same thing might happen in our own State as well as Vermont. Our laws permit just this kind of thing. I presume fifteen per cent or more is a very common tax in this State. Now, I say, while we are fighting to make the world safe for democracy, it is only fair and right that we as a body such as this should also seek to do our best to make democracy safe for the State as well as for the world. We should make laws so we can find relief, and we can do it now, and do a great deal for those left in this State, as well as for our soldiers fighting for this cause across the sea.

*Mr. Hoyt of Hanover.*—I should like to speak one word here, and I want to speak in behalf of the people of the community, that is the farmers, the laboring men and the people of the State. I am not going to say how it is in every part of the State, but I can tell you how it is in my section. Coming here to get sympathy for the hardship of the men who own these large tracts of timber lands in the State, it is a pretty hard thing for them to do, isn't it? Why, in my section, one man owns about every valuable lot there is around there, and he is so liberal that when we go to him and ask him to sell us plank for our town, hemlock plank, he charges us \$37 a thousand. He ought to have his taxes reduced, hadn't he? Now, while we are all having to sacrifice here, there are no people in this State sacrificing any more than the men who are raising the products and trying to feed you and trying to feed the soldiers over across the ocean. The government is paying such prices for labor, six and seven dollars a day, that the farmers can't get help; they are working early and late to raise something to feed you, and then to put to them these two propositions. Take it off from the great lumber interests and put it on to the farmer. Why, all the timber lands in this State will be bought up by these men of capital. There will be no more going back to the farm, for you will have to put on this property what you take off the rich man. That is the thing in a nutshell. If you want to take from the rich and put it on to the poor, let's do it, but don't say you sympathize with the man on the farm who is feeding you. If you do so, I shall oppose it, however; and although my influence is not great, I

want to say to you that not only myself but the thirty thousand Grangers in this State will oppose it to their utmost; every farmer will.

*Mr. Ayres of Franconia.*—Gentlemen, I have a word to say to farmers. I am a farmer's son, and have been going in and out among you in forestry work for sixteen years. I don't propose to say anything that will go back on my father's occupation or the little farm I own in the town of Franconia. What I want to saw is this: If you take away from the town its other forms of taxable property, the burden falls back upon the farm; the farmer always gets the worst of it, as a rule, in taxation. His property is visible; the intangible property is hidden away and the timber is cut off, but the farmer's land and his house are visible for taxation. In the interest of the farmer, I am asking you to see that a system of taxation is applied to the forests, not to relieve them of taxation nor exempt them, but to be so applied that the forest, while bearing its full burden of taxation, shall pay the tax when the timber is cut, and not have to pay year after year on property upon which the owner cannot realize until after a long term of years when the timber is cut. Four States have made this arrangement. It is not a new proposition. It is important because sixty-two per cent of the total land area of our State is woods.

Reference has been made to the boys over there, and that because of them we should adjourn this Convention without action. These men when they come back will say: "We offered our lives willingly in the service of our Country; you fellows came with a chance to fix up a bad civic condition and turned your backs on it." It seems to me the boys can come back and spit in our faces, if in this Convention we adjourn without doing our duty.

The timber of New Hampshire according to the census of 1900, the last to collect data on timber, yields a gross annual product of \$16,000,000 a year; it feeds a large part of the population in the villages and valleys; it controls the water flow; and it is up to us to see that it is rightly dealt with. Four-fifths of all our timber—and I am using the census figures again—four-fifths of all the timber in New Hampshire is in small holdings. I as a farmer's son am not here to protect the big timber interests. Somebody has said that everybody connected with the timber business is a millionaire. Most of you own timber lots and I would like to have you hold up your hand if you are a millionaire. I don't see many hands. This proposed change is in the interest of the small owner whose woodland, by a combination of high prices and high taxes is being stripped off. This combination threatens one of our fundamental resources. Our three

largest resources in New Hampshire are our woods, our water powers and our soil. We have also the granite quarries. These are all the natural resources there are in New Hampshire. They must be protected and conserved. I urge you, gentlemen, not to let this Convention go by without doing something to change the method of taxing the small woodland owner.

*Mr. Lee of Concord.* — Mr. President and Members of the Convention, at the last Legislature I happened to be a member and I also was a member of the Committee on Ways and Means, where all the questions of taxation are considered, and I found that last session, and in fact in the two sessions before it, the great problem has been in regard to the taxation of growing timber and intangibles. It seems to me, now we are assembled here today, that something ought to be done in regard to regulating the taxes on these two classes of property mentioned in the resolution offered by the gentleman from Ward Four, Concord. Gentlemen, during the last session of the house at the hearings before the Committee on Ways and Means, you would be surprised to see the people who came in, in regard to the taxation of growing timber, and you will all have to admit that when it comes to intangibles it is an outrage the way people pay taxes on them. As one of the assessors of the City of Concord for a good many years, I will have to admit that practically every man who died and was worth any amount of money invested in intangibles, escaped taxation. Look up the records at the registry of probate; that speaks for itself. Now, gentlemen, you know as well as I do that it is wrong for us to have a tax law such as we have at present, so that men who have their money invested in intangibles, pay the rate they would pay on stock-in-trade and real estate and other things from which they derive more income. Just stop to think that this year, taxes are going to be high. There is no question about it. Concord's tax was \$1.85 or \$1.86 last year; today it is, I think, about \$2.25, and in every city and town throughout the State it is going to be the same way. Stop to think of a man with a bond only paying three and a half or four per cent interest, having to pay \$2.25 or \$2.30 out of that for taxes. What has been the result? In my experience, for the last twenty years, it helps to make perjurers out of all rich people. It is wrong, and I tell you, gentlemen, they have done nothing more than you or I would do. You are going to protect yourself first. You are going to see you have bread and butter before you give to anybody else, and in God's name let's pass an amendment to the Constitution here today that will relieve the people from doing such things. I have had dealings with these people all my life;

there isn't a more honorable class of people than they are; but for God's sake give them an opportunity to live in the right way; and I say it is wrong to go to work and adjourn this Convention at this time. If you do pass an amendment to help the farmer in some way on his growing timber, and the man who has intangibles, give him a chance to be honest in his income return and in his tax. I venture to say that if you pass that amendment the State of New Hampshire will receive eight or ten million dollars more in taxes than they are receiving now under the present method. Then a man will know just what per cent he has to pay, and it will be a just provision. As it now stands, it is wrong. This has been the great question before the House for a member of the Legislature and in the Ways and Means Committee for the last three times I have been a member. Now, gentlemen, I hope before you adjourn that you will do somthing for the farmer and for the man who gets his income from intangibles. Let's pass an amendment to give these men a chance to know what they should pay and also a chance to be honest in turning in their inventories. I hope before you adjourn that these two amendments, offered by the gentleman from Concord, will be adopted. These are the only things I care about, but if there is anything else worth talking about, I would like to hear it, but those are the only two things I ever heard that amounted to anything while I was in the Legislature for three times and for three times a member of the Committee on Ways and Means. Gentlemen, I hope you will pass these two measures, because they are deserving of it.

*Mr. Tobey of Temple.* — I am one of thosē who take the Convention seriously. I do not stand before you, Mr. President, and Gentlemen of the Convention, to advocate any proposed measure offered today. There is one issue before us, as I understand it, and that is the motion of the gentleman from Rochester, Mr. Varnay, as to whether or not we shall as a body of men march up the hill and march down again, or whether we shall do something, like men of New Hampshire. It has been told you that we are at war, and the gentleman from Nashua comes before you and volubly and with great force tells you men are dying over there and that slaughter of our boys is going on. I submit to you as fair minded men, how many men less will be slaughtered if you and I measure up to what is expected of us by our community and do something on this job today, or two or three days, if necessary, and then go home. We have heard a good deal about war activities, but I say New Hampshire need not take second place to any State in the Union. We have a record to be proud

of as a State in support of war activities. And I want to say to you gentlemen, that your and my activities in our respective communities in the interest of these great war campaigns are not going to suffer by our being here. We stood for office, we accepted office, and our citizens want us to be on the job and do something. If it is the pleasure of this Convention to die today, I say "Give it an epitaph for its tombstone," and I know no better or more fitting epitaph than that which was on the tombstone of a little child who died after living only twenty-four hours: "I was so soon done for what was I begun for."

Seriously, I am not an advocate of any of the things begun here today. I am not going to take the floor on those things at the present time, but I do feel as a New Hampshire man that you and I have a chance to do a great deal for the benefit of New Hampshire by staying here on the job to which we were elected, considering and acting on important matters as expeditiously as may be consistent with sanity and wisdom.

*Mr. Stone of Andover.*—Just a word, Gentlemen: I hardly know "where I am at." My first impression was to support the resolution offered by the gentleman from Concord, Mr. Lyford, but personally I believe the resolution offered by the gentleman from Rochester ought to be adopted and that this Convention adjourn without taking action on any proposed amendments. We are taking ourselves too seriously. The last gentleman says we came here to do something and that was what the people sent us here for. Town after town sent men here knowing they would stop proposed amendments which they deemed entirely unnecessary. Men who have done the best work in the Legislature of New Hampshire, men like Gilman Marston, who for more than twenty years was at the head of the Judiciary Committee, men like Harry Bingham, who sat by his side, the State of New Hampshire delights to honor because they did their duty in stopping vicious legislation. Let me say to you, as I have said before, we have taken ourselves too seriously. The people of New Hampshire were not greatly interested or desirous of having a Convention called. Eighty nine thousand, one hundred and twenty-seven men came to the polls in 1916 and cast their ballots, but only twenty-one thousand felt interest enough in the call for a Convention to vote for the same. That was the "great interest" the people took! What have we been discussing, anyway? We were discussing whether we should pass the amendment relative to intangibles and wood and timber. That isn't the question at all. The question is whether, taking the resolution of the gentleman from Concord, we shall adopt or reject more than two amendments. Now, I don't own much of any-

thing anyway, but I do have a little lumber, and I am perfectly willing to pay a tax; but that is out of the question and has nothing to do with the matter under consideration — it is simply whether we shall take up two proposed amendments and then adjourn.

It is much more important that we stand by the boys who at this very moment on the battlefields and in the trenches are giving their lives for you and me. This conflict we are engaged in dwarfs all others. I was rejoiced and I listened intently to the strong and patriotic words of our President. Are the people of New Hampshire in any frame of mind to consider amendments that may be proposed? Go upon the trains, go anywhere, see the little boys, see the little girls working, women knitting, and we staying here to discuss whether we will save a pine tree or not? The last gentleman said the boys would come home and ask us what have you been doing? Let us see? I happen, unfortunately for my business, to be a member of a draft board, and the government instructs us to even defer sending boys who are engaged in agricultural work who went to Camp Devens in September and have been in training five months, and they have been given furloughs for the summer in order that they might work on farms; and it seems to me if we continue here we will simply fritter away our time to no purpose after the manner of the recent and still continuing Massachusetts Constitutional Convention.

The people of New Hampshire are interested in other and more vital things than amendments to our Constitution, and will not give amendments that we may submit their attention. Why then should we go on, thrash out and put forward amendments and have them rejected at the polls? I trust we will go home soon. Personally I think we ought to go this afternoon.

*Mr. Emerson of Milford.* — Gentlemen, it looks to me as if we are going far afield in the consideration of the question before us. If I understand the question before us correctly, it is, first, shall we vote immediately to adjourn and go home and quit, leaving a committee of the President and ten other members to decide whether at a later date we shall be called back for further business. That is the proposition of the gentleman from Rochester, as I understand it. The second proposition is the proposition of the gentleman from Concord that we consider two questions and then quit, quit possibly this afternoon, quit probably tomorrow, with two questions for the people to consider, that they have already considered in time past very carefully, one of which at least was acted upon by the last Constitutional Convention and on which the people at the polls cast a large

majority of votes in the affirmative, showing that the people were interested; if the question had received just a little more discussion before the people, it is my confident belief that the people would have approved of the amendment to the Constitution providing that the Legislature might classify timber differently from other property. The question is not a specific question of taxation here; the question is, do we believe in allowing the Legislature a free hand to deal with this problem; that is the question. It isn't this or that method of taxation. There is no one here, so far as I know, who is advocating allowing standing timber to escape any part of its just burden of taxation. There is a considerable belief that the proper time to tax timber is when you tax other things, when the crop is harvested. I for one don't believe that any tree should escape its just share of taxation, but I do believe that it is a crime against the best interests of this State to tax standing timber before it is ripe. But I am not here to discuss that question; that question will come up after these other two questions which I have tried to outline to you are determined; first, shall we immediately and now adjourn? On that question, I vote no; and then on the question Shall we consider the two questions which have been carefully considered by the people and on one of which at least the people have passed an affirmative judgment by a majority vote? On that question, I vote yes.

Now then if going home right this minute would bring back those boys that have gone to France, your sons and my sons, I would vote yes; but it won't do it and we might just as well face these problems. Personally I for one am not disposed to stay here and listen to unlimited discussion on a lot of these questions, but I am disposed to pass, if we can, on those two questions which have received considerable discussion on the part of the people and upon which most of you yourselves have your minds made up.

*Mr. Lyford of Concord.* — Mr. President, just a single word. The gentleman from Milford has brought us back to the question before us. I have not indicated in any way how I stand on either of the propositions that will be discussed and considered here if my resolution is adopted. This is merely to give an opportunity to consider these propositions. Now, the amendment, the substitute amendment of the gentleman from Rochester, Mr. Varney, is unnecessary, because if this resolution of mine is adopted, it does not bind this Convention in favor of or against either one of these propositions. There are no amendments to the Constitution in my resolution, and when an amendment is offered, say for instance, to classify growing wood

and timber for the purpose of taxation, it is in order for the gentleman from Rochester to move to indefinitely postpone; that is a debatable motion, and you can then debate the merits of the question, and if this Convention votes to indefinitely postpone, that ends that proposition, and if one proposition is ended that way, the other will undoubtedly follow. You have got no concrete proposition here to discuss. The discussion has wandered far afield, but it is brought back by the gentleman from Milford. It is whether you will vote immediately to adjourn or whether you will vote for the resolution that I offered, which gives an opportunity to consider these questions, which you can reject as a Convention, if you then see fit.

*Mr. Metcalf of Concord.*—This Convention has something to do or it has nothing to do. If it has nothing to do, it should adjourn at once, *sine die*, and go home. If there is something that has to be done, it should be done and submitted to the people. The argument against submitting any amendment to the people at this time is that we are in war, and that consequently we cannot consider properly anything of this sort; that our minds must be entirely taken up with this great question of the war. Mr. Doyle of Nashua put this in very strong words, and Mr. Stone of Andover. Now it is true that we are at war. It is true we want to do all in our power to win this war; but I notice Brother Doyle goes on trying cases in Court just as before, and I notice the Courts are in session just the same as before. It is suggested that we cannot properly consider these questions; but look here, gentlemen, more questions are going to be before us. We have to consider the qualifications of the candidates for United States Senator, and Mr. Lyford of Concord agrees he is infinitely better qualified than any of the four now in the field for the job; and the people are asked to consider this question, and they will have to consider it before long, and then we have to consider a candidate on the Democratic side; we have to determine "what in thunder" we will do if Hollis gets out; that has to be considered. Then we have to nominate candidates for Congressmen and Governor and all such officers, and the attention of the people is going to be taken up by those things, and there has to be an election, and the people will meet in the voting places and consider which of the candidates presented are best qualified for the job, and vote accordingly. Now do you pretend to say, gentlemen of this Convention, that if one or two important amendments, with which the people are familiar, were submitted at that time that they cannot consider and act upon them intelligently? I think to put that proposition up to you is nonsense.

*Mr. Howe of Concord.* — Mr. President, what would be the fair thing to do under all the circumstances? There are various projects here. Different people are interested in different ones of these projects; that is sufficiently apparent. The timber people are interested in the timber project; the people holding intangibles in the taxation of intangibles. Some people are interested in the initiative and referendum. Other people, it has been suggested, are interested in the project of the election of judges by the people. I might go on indefinitely. It is known that another measure in which there is public interest is the pensioning of our retired judges. Now under the circumstances what would be the fair thing to do? Are we satisfied that the timber people and the intangible people have the only issues that are worth considering? They say they have, and that we ought to sidetrack everything else and deal with their matters and then go home and that the people who are interested in the other matters should be satisfied with that program. Now is that so? I want to submit to you, Mr. President, that the fair thing to do, the right thing for us to do is to take either one of two courses: either stay here and deal with every project that comes legitimately before this Convention, or deal with none. Treat the timber people fairly; the intangible people fairly; the initiative and referendum people and all the others fairly; give them the time they ought to have,—it will take a month, no doubt about that. Take that course and you will be fair to everybody, or else not select one or two of these projects, deal with them and let the other people wait. Now there is one more thing I want to suggest for your consideration. It has appeared in the discussion which has been had here today that there is a grave suspicion in the minds of many people that back of the timber project stand the millionaires timber owners. I don't know whether that is true or not; but there is that suspicion. Now, gentlemen, just recently the people of New Hampshire voted on this. This very question was submitted to them; it failed to carry; the people voted against it. Conditions have changed to some extent since that vote was taken. A certain proportion of our voters who were here and voted then are across the water now. Will those boys, those who return, feel that you have treated them fairly if you have put through your timber proposition and your intangible proposition when they were absent in France and could not vote upon it?

*Mr. Clement of Warren.* — One point has been brought up here twice today, that was in regard to this question being submitted from the last Constitutional Convention. Gentlemen, these two questions, the exemption of growing timber from

taxation and the question of taxation of intangibles, were linked up together, and one killed the other. That is why the growing timber was not exempted, because they embodied the two together, made them sink and swim together, and the result was exactly what I predicted, they were both defeated. Now you have a State Forester here and a State Forestry Association who are not interested in any millionaires. They have made a study of this question for years. They have done something. Are you going to be slackers? Aren't you going to consider the preservation of the resources of your State? Haven't we been told repeatedly it behooves us to conserve at home, to do our own duty in conservation of our resources, when our soldiers in Europe depend on them? Are we quitters?

*Mr. Hayden of Hollis.*—We have been told this afternoon we are in a great war at the present time. We were in a great war in '61. I was there myself, and I know something about it. At that time we faced the front and obeyed orders, and now don't be slackers; don't go to the rear; face the front if the bullets do come; we are here to do business and let's do it.

*Mr. Duffy of Franklin.*—I would like to ask a question for information. If this motion prevails, as I understand it, it does not preclude the possibility of taking up the two subjects mentioned in the resolution of the gentleman from Concord, Mr. Lyford.

*The President.*—I should say it does preclude it. The Chair understands that the question is now upon the amendment offered by the gentleman from Rochester, Mr. Varney, which I have just read. If that resolution is adopted, it seems to the Chair that the taxation amendments must fail, unless they are submitted before we adjourn today.

*Mr. Varney of Rochester.*—I want to say in regard to this amendment which I have offered that at the time I was asked to be a member of this Convention, I stated to the people in my ward that I would go under one condition, and that condition was that if I was elected, I would present to the Convention a resolution asking for immediate adjournment, and I have carried out the promise which I made my constituents at that time. Moreover, I have not changed my opinion since the time I was elected. I have not had cold feet within the last week or two and changed my mind. I still believe it is for the interest of the State of New Hampshire and that there is a sufficient sentiment among the people of the State that this Convention shall adjourn until such time as conditions may be settled after the war, in order that we may determine just what is needed. We cannot vote intelligently upon any amendments that may be

proposed at this time. Who can tell what we shall need in a year or two in the way of taxation as the result of this war? Who can tell how soon the war is to terminate? If I could be informed as to the length of the war and the conditions that would prevail at that time, I feel then I would be able in a measure to consider these resolutions which are offered, intelligently. I do not feel, Mr. President and Gentlemen, that in taking the stand which I do in offering this amendment that I am in any way a slacker in the duty which is imposed upon me and I do not feel that the people of the State of New Hampshire will regard it as such.

*Mr. Wright of Sanbornton.* — I rise to inquire, if I may — to see if I understand the question. Those who desire an immediate adjournment, without considering further any questions should vote yes on this amendment?

*The President.* — They should vote in the affirmative, yes.

*Mr. Wright of Sanbornton.* — And those who desire an opportunity to consider the propositions should vote no?

*The President.* — I should say so.

Mr. Lyford of Concord, called for a division.

The President appointed the following-named gentlemen to act as tellers in the taking of the division:

- Division 1. Mr. Patterson of Concord.
- Division 2. Mr. Wright of Sanbornton.
- Division 3. Mr. Norwood of Keene.
- Division 4. Mr. French of Moultonborough.
- Division 5. Mr. Sanders of Derry.

Division being had it was declared manifestly in the negative.

Question being on the resolution of Mr. Lyford of Concord, —

*Mr. Pike of Lisbon.* — Gentlemen, it seems we have decided to stay here and go to work; now let us do it. This is supposed to be a democratic organization and don't let us have any wrangle, but let us all have a chance to put our measures in, thrash them out and stay until we get through and go home.

Mr. Lyford of Concord called for a division.

Mr. Upton of Bow offered the following amendment to the resolution of Mr. Lyford of Concord.

Strike out all after the word "*Resolved*" and before the words "and that when" and substitute in place thereof the words, "That this Convention proceed to consider the revision or amendment of the Constitution in respect to taxation," so that the same as amended shall read as follows:

*Resolved*, That this Convention proceed to consider the revision or amendment of the Constitution in respect to taxation, and that when action on these amendments has been taken the Convention adjourn, subject to the call of a committee, consisting of the President of this Convention and one delegate from each county, to be appointed by the Chair, a majority of whom are hereby empowered to issue a call for the Convention to reassemble.

Question being on the amendment offered by Mr. Upton of Bow, —

Mr. Lyford of Concord accepted the amendment offered by Mr. Upton of Bow.

Question being on the resolution of Mr. Lyford of Concord, as amended, —

Mr. Pike of Lisbon, moved to indefinitely postpone the resolution of Mr. Lyford of Concord, as amended.

Question being on the motion of Mr. Pike of Lisbon, —

Mr. Lyford of Concord called for a division.

*Mr. Streeter of Concord.* — Does the amendment of Mr. Upton of Bow leave the resolution of Mr. Lyford inconsistent? I don't quite see it. Mr. Lyford's resolution was in substance that we take up only two propositions. Now he has accepted an amend-

ment that we proceed to take up one. Will the Chair state the question so we will understand it?

*Mr. Lyford of Concord.*—If I may be pardoned a word, I think I misunderstood the amendment offered. I understood it was to be limited to the question of taxation, and upon reading it, I must decline to accept the amendment, and if I may, I withdraw my acceptance.

*Mr. Duncan of Jaffrey.*—Am I to understand that the question is upon the motion of the gentleman from Lisbon to indefinitely postpone? Isn't that the question before the Convention at the present time?

*Mr. Stone of Andover.*—I ask the pardon of the Convention for taking up another minute if its time. Possibly, it occurs to me, there is a misapprehension here. It appears some of you in the discussion were opposed and some in favor of the lumber and intangible propositions; those questions we are not taking up now. I want to say personally that while I shall support the motion of Mr. Lyford, I may vote against these amendments.

*Mr. Lee of Concord.*—The people who are going to get the benefit, so far as intangibles are concerned, are the poorer class of people, the farmer and the man who owns his little home and everything like that, and it will make the rich fellow pay his proportion of the taxation, which today he isn't paying. They tell me that in Massachusetts, where they formerly got about one-fifth of them, they are now getting very nearly three-fourths. I do think it will be a good thing, because you can't blame them today for not handing it in. The tax is wrong. You can't expect them to be honest about it, but you can fix it so they can be honest.

*Mr. Pike of Lisbon.*—I would like to ask a question. As I understand the parliamentary situation, on my motion to indefinitely postpone, it disposes of the Lyford resolution and leaves this Convention free to act.

*Mr. Lyford of Concord.*—I think I understand the resolution right. I was in doubt when my attention was called to it, but I accept the amendment of Mr. Upton.

Division being had, 166 gentlemen having voted in the affirmative and 149 gentlemen having voted in the negative, the motion of Mr. Pike of Lisbon to indefinitely postpone prevailed.

Mr. Quimby of Concord, for the Committee on Permanent

Organization reported, recommending the following-named persons for the several offices:

Chaplain, Rev. Archibald Black of Concord.

Sergeant-at-Arms, Walter J. A. Ward of Hillsborough.

Doorkeepers, Guy S. Neal of Aeworth, George Lawrence of Manchester, Albert P. Davis of Concord, and Edward K. Webster of Concord.

Warden of Coat Room, George Goodhue of Concord.

Assistant Warden of the Coat Room, John C. O'Hare of Nashua.

Messenger, Frank L. Aldrich of Manchester.

Official Stenographer, Miss Margaret A. Conway of Concord.

Assistant Stenographer, Miss Bertha Goodwin of Newport.

The report was accepted and the recommendations were adopted.

The committee also recommended the election of Joseph H. Lane of Concord and Walter Pillsbury of Derry to serve as pages during the Convention.

The recommendation of the Committee was adopted.

Mr. Gibson of Conway, for the Committee on Rules and Methods of Procedure, submitted the following report:

#### RULES OF THE CONVENTION.

1. The President shall take the chair at precisely the hour to which the Convention shall have adjourned, shall immediately call the members to order, and at the commencement of each day's session shall cause the journal of the preceding day to be read. He shall preserve decorum and order, and may speak on points of order in preference to other members, and may substitute any member to perform the duties of the Chair.

2. A majority of all the members of the Convention shall constitute a quorum.

3. All committees shall be appointed by the President, unless otherwise directed by the Convention; and the first-named member of any committee appointed by the President shall be chairman.

4. No person but the members and officers of the Convention shall be admitted within the chamber unless by invitation of the President or order of the Convention.

5. No member shall speak more than twice to the same question without leave of the Convention.

6. When any question is under debate no motion shall be received but, first, to adjourn; second, to lay on the table; third, to postpone to a day certain; fourth, to commit; fifth, to amend — which several motions shall take precedence in the order in which they are arranged. Motions to adjourn and lay on the table shall be decided without debate.

7. Any member may call for a division of the question, when the sense will admit of it; but a motion to strike out and insert shall not be divided.

8. A motion for commitment, until it is decided, shall precede all amendments to the main question; and all motions and reports may be committed at the pleasure of the Convention.

9. No vote shall be reconsidered unless the motion for reconsideration be made by a member who voted with the majority.

10. Every question shall be decided by yeas and nays whenever a demand for the same shall be made and sustained by at least ten members, and any member may demand a division.

11. The Convention may resolve itself into a Committee of the Whole at any time on the motion of a member; and, in forming a Committee of the Whole, the President shall leave the chair and appoint a chairman to preside in Committee; and the rules of proceeding in Convention shall be observed in Committee of the Whole, except the rule limiting

the times of speaking and the rule relating to calls for the yeas and nays.

12. After the journal has been read and corrected, the order of business shall be as follows: First, the presentation of resolutions and petitions; second, the reports of committees; third, any special order for the hour; fourth, the unfinished business of the preceding day.

13. All motions and resolutions proposing any amendment to the Constitution shall be offered in writing, and be read by the Secretary for the information of the Convention, when, unless rejected or otherwise disposed of, shall be referred to an appropriate committee, who shall examine and report thereon to the Convention, with such recommendations as they may deem advisable. No proposition for an amendment shall be received after Tuesday, June 11, 1918, unless by unanimous consent of the Convention or upon the recommendation of a standing committee.

14. There shall be appointed by the President eight committees; consisting of twenty members each, and each county shall be represented thereon. Said committees shall be on the following subjects, viz.:

- (1) On Bill of Rights and Executive Department.
- (2) On Legislative Department.
- (3) On Judicial Department.
- (4) On Future Mode of Amending the Constitution, and other Proposed Amendments.
- (5) On Time and Mode of Submitting to the People the Amendments Agreed to by the Convention.
- (6) On Finance.
- (7) On Elections.
- (8) On Journal.

15. All resolutions providing for amendments to the Constitution introduced shall be laid upon the table and printed before reference to committees, and the same shall be distributed to the delegates.

On motion of Mr. Gibson of Conway, the report was accepted and the rules were adopted as the rules of the Convention.

#### COMMITTEE ASSIGNMENTS.

The President announced the following standing committees:

##### ON FINANCE.

French of Moultonborough.	Emerson of Manchester.
Wight of Berlin.	Laberge of Manchester.
Welch of Dover.	Cater of Portsmouth.
Bates of Exeter.	Dame of Newport.
Pariseau of Manchester.	Hayford of Newton.
Hill of Plaistow.	McElroy of Manchester.
Brown of Hampton.	Shaw of Salisbury.
Davis of Hopkinton.	Dillingham of Roxbury.
Locke of Laconia.	Worthen of Manchester.
Waterman of Lebanon.	Spalding of Stoddard.

##### ON JOURNAL.

Tobey of Temple.	Faulkner of Swansey.
Veazie of Littleton.	Beal of Plymouth.
Emerson of Hampstead.	Hancock of Milan.
McDaniel of Nottingham.	Pound of Wolfeboro.
Hurd of Dover.	Clark of Nashua.
Knox of Madbury.	Frye of Wilton.
Chase (A. H.) of Concord.	True of Plainfield.
Shaw of Chichester.	Perkins of Laconia.
Greer of Goffstown.	Dionne, Jr., of Nashua.
Dickinson of Winchester.	Rogers of Newport.

Mr. Varney of Rochester offered the following resolution:

WHEREAS, The unsettled conditions, existing because of the present world war, make it impossible to determine what

changes, if any, are to be needed in our State Constitution, be it

*Resolved*, That this Convention do now adjourn subject to the call of the President and a committee of ten, composed of one from each county to be appointed by the President, a majority of whom shall be a quorum.

Question being on the resolution of Mr. Varney of Rochester, —

*Mr. Lewis of Amherst*. — I sincerely hope that this motion will not prevail. It is simply the same old sheep with a new coat on it. It is surprising that some men who say that they haven't time to stay here long enough to consider the necessary business of the State, seem to have plenty of time to employ filibustering methods in order to prevent the other members of the Constitutional Convention from doing the State's business. Some other nations have been given credit for inventing camouflage, but if our boys at the front were as abundantly supplied with guns and munitions as we have been supplied here with camouflage, they would surely win the war.

We are here to do business, and I, for one believe we ought to do it. One gentleman has stood before us and said that he was elected, pledged to come here and move that this Convention be adjourned without action. I am perfectly willing that all the men who were thus pledged, and who were elected on that platform shall vote accordingly, but I call upon every man who accepted this office with the distinct pledge that he would come here and help transact the necessary business of this State, to vote to stay on the job until our work is done.

*Mr. Pillsbury of Londonderry*. — Gentlemen of the Convention: I did not plan to take part in these proceedings, but when a man comes in here with dilatory tactics, who came here by his own confession to see that this Convention did no business and that the rest of us sent here in order to carry out the instructions of our constituents, to come here and transact business, should do nothing, I say it is time for the people of this State to say to that gentleman: "You do business for your ward, but we are doing it for the State of New Hampshire." There has been concerted action by several interests in this State to see that nothing was done in this Convention, and it has been peddled over the State for more than three months. I yield to no man in

my patriotic sentiments. My boy and your boy is across the ocean, standing under bursting shells, and I want to see everything done to protect them and bring them back — the boys who are there fighting for the old flag. I remember looking back into the Provincial records to the time when the first Constitutional Convention assembled here six months after the war with Great Britain started, the Revolutionary War which gave us our independence. Matthem Thornton from Londonderry, one of the signers of the Declaration of Independence, came up and participated in that Convention, and they did not go home without doing something. His collaborator was John Bell, progenitor of that great Bell family who have borne senators and judges and governors to the State of New Hampshire. Those men stayed here during the stress of the Revolutionary War, animated by the same sentiments that animate us. John Sullivan wrote from the army asking them to protect the interests of the common people. You will find it in your Manual. We today have the same spriit that John Sullivan, Matthew Thornton and John Bell had in that Revolutionary struggle. We are here to do business, and when we have accomplished that work we are ready to go home but not until them; and these dilatory motions, put in here to carry out the interests of somebody in some ward in some city, will not prevail if I read aright the expression on your faces. Let us vote down this resolution and stand as New Hampshire always has stood, patriotic, always doing its duty; and when the boys come home, with victory inscribed on their banner, and with liberty and world-wide democracy established, we shall watch them, some of us perhaps with heavy hearts and eyes dimmed with tears, but we shall have the satisfaction of telling them we have kept the home fires burning and done the duty that was placed upon us.

*Mr. Callahan of Keene.* — Gentlemen, we have work to do here. We were sent here by our constituents, and if we do not accomplish anything it is because of those who have been in the trenches for the past three or four months getting these resolutions ready, and now they are trying to gas you. Are you willing to take this gas and have them smother you? Haven't you got just as much intelligence as they have? Don't you know the State needs some Constitutional changes and it is time they were accomplished, even if it is in war time. My income stopped when I left home yesterday morning to attend this Convention, but I am willing to stay here and accomplish the work of this Convention at a loss to myself and I hope a benefit to the State, and I ask you, gentlemen, to consider carefully the resolution

offered by the gentleman from Rochester and vote it down unanimously.

*Mr. Edgerly of Tuftonboro.*—It was not my purpose to speak, but it is my opinion at the present time that everything that has been offered here has been somewhat dilatory—that is, everything that has been done is off the mark; and in order to do work effectively we must commence at the beginning, where we were this morning, and proceed to adjourn until such time as we can come back here and have cooler weather and perhaps cooler heads and take up the matters then and have them put in a systematic way and as it ought to be done. I don't believe in selecting anything in particular and throwing out everything else. Now, gentlemen, in the interests of the people of New Hampshire, it is my opinion we would do well to adjourn and go home to our work, and sometime prior to the election next fall come back here at the summons of this committee and then take up what seems necessary, and at our election in November present the same to the people. At this time, Mr. President, it is my candid opinion we would do well to adjourn and go home.

*Mr. Page of Gilmanton.*—I have but a word to say. If I am in order I would like to call for the question because I would as soon vote against it now as any time, and I think the others had, and I think after that, an adjournment would be a nice thing to have and come back tomorrow morning.

*Mr. Page of Portsmouth.*—Gentlemen of the Convention, as I grow older I find I am less pugnacious and less desirous of entering into a contest, but as the Pages seem to be coming on deck, I think it is my turn to let you know I am not tongue-tied. We have lived under a Constitution which has been sufficient for us to win all the battles we have ever been engaged in for a hundred and fifty years, and now I come here today and I hear talk about slackers. They roll it on their tongues like a sweet morsel, and they will charge me, because I vote for adjournment, with being a slacker. I will tell you what a slacker is, gentlemen. A slacker is a man who is willing to leave his work, his farm, his ploughing and farm work and such things, and come up here and spend all summer wrangling over a little amendment to the Constitution and listening to a fellow who is willing to travel up and down in front of us and go back to our revolutionary days and King George or whatever king he may refer to, I don't know which one, while he shouts at us and pounds his fists in the air. That is a slacker, gentlemen. Our one duty today is to win the war, as the President says, and we are going to do it, as he says, and he knows

something about it. Then I have believed that our duty was to do our whole duty, and we cannot stay here all summer long and leave our fields and our farms. The Huns are at our door; the Kaiser's mailed fist is knocking perhaps at the front gate of the city of Portsmouth today. And yet you all come here and sit and listen to talk about legislation for the men who have got millions of dollars worth of lumber to exempt from taxation. That is what this lumber business means. What is lumber good for? Only to keep and not to pay taxes on it the same as everybody else does on their property? And then these demagogues tell us they want this legislation for the good of the poor man and the farmer. Now, Mr. President and Gentlemen, the men who want to stay here are the men who love the sound of their own voices and to have a crowd that is compelled to stay here and hear them. If they aren't that kind of men then they are the other kind who are in the pay of the State, drawing more good money for a salary for some State office they hold; and I just heard one, drawing \$3,000 a year, say he is going to stay here all summer, drawing his salary both ways. Now, Mr. President and Gentlemen, I would have been glad to have voted for Mr. Lyford's resolution, because it killed all the black specters of devils innumerable appearing before this Convention. Now we have them all killed, as I understand, but one. Let's kill that and go home, and when the war is over and we can think connectedly and do what is right for the State of New Hampshire, I will come back here and spend my time at my own expense, and I won't draw any salary from the State; but now I am not in a condition and none of us is in a condition to legislate upon measures to be submitted to the people to amend that old Constitution which has served us so long and so well.

*Mr. Stanley of Lincoln.*—I am connected with one of the largest companies owning timberlands in the State of New Hampshire, The Parker-Young Co. I should favor a revision of the Constitution in regard to the taxation of standing timber if it could have been considered without holding this Convention indefinitely. We will stand, however, taxation as it is, rather than be in session here for weeks.

There have been many resolutions offered and a good deal said here about cleaning our house, or putting our house in order. Our house is afire! What would you say of a man who was arranging little details, putting his books in order, or other small duties, while his house was burning? That is the condition in our country today and it seems to me a shame

that more than four hundred able-bodied men spend a month or more in thrashing out these questions.

As ably stated by the delegate from Portsmouth, Mr. Page, we can get along with our old Constitution for the time being. We will put up with timber taxation as it is today. Members speak of the initiative and referendum. If we do not win this war will the Kaiser recognize our initiative and referendum?

The best thing we can do now is to adjourn, get back to our work and take up these matters at a time more fitting.

*Mr. Stone of Andover.*—Just one word, gentlemen. We have heard a lot about slackers. I know many of those who have advocated adjournment have given up all their business and have devoted all their time for the past year to war work. These are the men who advocate, and for a patriotic purpose, the adjourning of this Convention. Now, Mr. President, not for the purpose of delay, but believing as I do that the people of every ward or town in this State represented here are opposed to the continuing of this Convention during the war and that the people are anxious to have us adjourn and attend to other things; believing this, and in order that I may be put on record I propose to call for the yeas and nays, that our constituents may know how we have voted.

Mr. Stone of Andover demanded the yeas and nays.

*Mr. Schellenberg of Manchester.*—Mr. President, there has been enough said about the war and the gentleman from Rochester who offered this resolution. Now let's vote on it, and if we are to stay, we will stay; but if we are to adjourn, we will adjourn. Let's vote on the resolution now, and let's not hear anything more about the war or anything else.

The demand of Mr. Stone of Andover being seconded by ten delegates, the yeas and nays were ordered.

*Mr. Duncan of Jaffrey.*—I rise for a parliamentary inquiry. Do I understand that those in favor of immediate adjournment should vote yes and all those willing to do their duty and stay here, vote no?

*The Preisident.*—All in favor of immediate adjournment will vote yes; all opposed to immediate adjournment will vote no when their names are called. That is all there is to it.

YEAS, 167½.

Aldrich of Northumberland, Amey, Annis, Bailly of Manchester, Bailey of Sunapee, Baker of Hillsborough, Barnard, Bartlett of Hanover, Bartlett of Pittsfield, Bates of Exeter, Beaman, Beaudoin, Beckman, Belanger of Concord, Bell, Booth, Brown of Berlin, Brown of Concord, Brown of Manchester, Butler, Carter, Cater, Chandler, Chapman, Charron, Chase of Ward Five, Concord, Clark of Acworth, Clough of Laconia, Clough of Lyman, Coy, Curtis of Berlin, Curtis of Northumberland, Dame, Davis of Croydon, Davis of Hopkinton, Davis of Middleton, Dearborn of Belmont, Demond, Deschenes, Dillingham, Doe of Newfields, Dow, Duffy, Eastman of Weare, Eaton, Edgerly of Tuftonboro, Ela, Elliot, Emerson of Hampstead, Emerson of Manchester, English, Entwistle, Evans of Jefferson, Farmer, Felton, Foote, Foss, Fowler, French of Moultonborough, Gage, Gall, George, Gordon of New Ipswich, Goulding, Grant, Hale, Hall of Langdon, Hallinan, Hamlin, Hancock, Haslet, Hodgman, Howard, Howe, Hoyt of Newington, Hughes, Hull, Huntress, Hurd of Sharon, Hutchins of Stratford, Jacobs, Johnson of Pittsburg, Jones of Lebanon, Keniston of Ellsworth, Kingsbury, Kittredge, Knox, Laplante, Leach, Lee, Lombard, Lord, Lyford, Madden, Marston, Mason of Marlborough, McDaniel of Nottingham, McElroy, McHugh, Moffett, Morin, Morse of Littleton, Nelson, Noyes, Nute, Page of Portsmouth, Parker of Claremont, Parker of Goffstown, Pattee, Perkins of Laconia, Pettee, Philbrook of Shelburne, Pillsbury of Sutton, Prescott of Milford, Price, Pulsifer, Rines, Ripley, Rogers of Newport, Rogers of Pembroke, Rollins, Roy of Manchester, Sanborn, Sargent of Concord, Sargent of Pittsfield, Scammon, Scott, Shaw of Salisbury, Shirley, Sise, Smith of Brentwood, Smith of Center Harbor, Smith of Haverhill, Snow, Spaulding of Manchester, Spalding of Stoddard, Stanley, Stevens, Stoddard, Stone, Streeter, Sturtevant, Templeton, Thomas, Tilton of Laconia, Towle of Loudon, Towle of Northwood, True, Varney, Veazie, Waldron, Walker, Ward,

Wendall, Wentworth of Jackson, Wentworth of Plymouth, Wescott, Wetherell, Whitcomb, Whitney of Barnstead, Whitney of Goshen, Wight, Wilson of Manchester, Winn, Woodbury of Salem, Woodward, Young of Easton, Hoyt of Hanover ( $\frac{1}{2}$  vote).

NAYS, 180 $\frac{1}{2}$ .

Abbe, Andrews, Ayres, Baker of Hudson, Ball, Bartlett of Derry, Belanger of Manchester, Bennett, Benway, Blanchard, Boisvert, Brennan, Bresnahan, Brown of Deerfield, Bullock, Bunten of Dunbarton, Bunton of Manchester, Burbank, Buxton, Byrne, Callahan, Carpenter, Cavanaugh, Chase of Ward Three, Concord, Chase of Manchester, Chevrette, Childs, Churchill, Clark of Nashua, Clarke of Walpole, Clement, Cobleigh, Cole of Rochester, Collins, Conner of Bristol, Connor of Manchester, Cote, Craig, Damon, Davis of Manchester, Dean, Dearborn of Effingham, Devost, Dickinson, Dionne, Donigan, Dort, Duncan of Hancock, Duncan of Jaffrey, Eagan, Eastman of Allenstown, Edgar, Emerson of Milford, Evans of Gorham, Farnum, Faulkner, Fessenden, Flanders, Floyd, Foisie, Foster, French of Concord, Frost, Frye, Gagnon, Gibson, Gilchrist, Gingrass, Goodwin, Gorham, Gray, Hammond, Hayden, Haynes, Head, Hebert, Hodges, Holt, Hopkins, Hubbard, Hunkins, Hurd of Dover, Hutchins of Berlin, Kelley, Kenison of Ossipee, Kennett, Keyes, King, Laberge, Lampron, Lamson, Lang, Lawrence, Ledoux, Lewis, Little, Livingston, Locke, Lovering, Magan, Mason of Keene, G. I. McAllister, J. J. McAllister, McCarthy of Ward 13, Manchester, McDaniel of Barrington, McLaughlin, McNally, McNulty, Meader of Wolfeboro, Metcalf, Morrison, Morse of Hebron, Moses, Mower, Newell, Norwood, O'Neil, Ordway of New Hampton, Page of Gilmanton, Parsons, Patterson, Pearson, Pecor, Peirce, Philbrook of Laconia, Philpot, Pillsbury of Londonderry, Pillsbury of Manchester, Pound, Prince, Quimby, Rand, Randall, Rice, Robichaud, J. J. Ryan, P. J. Ryan, Salvail, Sawyer, Sayers, Schellenberg, Schenck, School-

craft, Shaw of Chichester, Shaw of Nashua, Shaw of North Hampton, Smart of Bennington, Smart of Dover, Smith of Dover, Stuart, Sullivan, Sweeny, Tarbell, Theriault, Thompson, Tobey, Towne, Trickey, Tuck, Upton, Wallace, Watson of Randolph, Waterman, Weber, Welch, Wellman of Keene, Wellman of New London, Wells, Welpley, Weston, Wheeler of Canterbury, Wheeler of Manchester, Whitman, Wilson of Salem, Woodbury of Woodstock, Woods, Worthen, Wright, Young of Laconia, Young of Rochester, Tyng ( $\frac{1}{2}$  vote).

#### PAIRS.

Mr. Pike of Lisbon, voting yes, was paired with Mr. Shurtleff of Lancaster, voting no.

One hundred and sixty-seven and one-half votes having been recorded in the affirmative and one hundred eighty and one-half votes having been recorded in the negative, the resolution of Mr. Varney of Rochester was not adopted.

On motion of Mr. French of Moultonborough, the following resolution was adopted:

*Resolved*, That until otherwise ordered the hours of meeting of the Convention be at 10.00 o'clock in the forenoon and 2.00 o'clock in the afternoon.

On motion of Mr. Lyford of Concord, the following resolution was adopted:

*Resolved*, That the drawing of seats be made a special order for tomorrow morning at 10.05 o'clock, that the method followed in the House of Representatives be adopted and that the Secretary of the Convention draw seats for absent members.

On motion of Mr. Lee of Concord, the following resolution was adopted:

*Resolved*, That the Secretary request the Secretary of State to furnish this Convention with 460 copies of the published proceedings of the Constitutional Convention of 1912, one copy for each member of this Convention and its officers.

On motion of Mr. Tobey of Temple, the Convention adjourned.

#### AFTERNOON.

The Convention met at two o'clock, according to adjournment.

On motion of Mr. Prescott of Milford, the Convention adjourned at 4.51 o'clock.

THURSDAY, June, 6, 1918.

The Convention met at 10.00 o'clock in the forenoon according to adjournment.

Prayer was offered by the Chaplain, Rev. Archibald Black of Concord.

The reading of the Journal of the preceeding day having begun,—

On motion of Mr. Clement of Warren, the rules were so far suspended that the further reading of the Journal was dispensed with.

Miss Margaret A. Conway of Concord appeared and qualified as Official Stenographer.

Mr. Ayres of Franconia introduced the following resolution:

## RESOLUTION No. 1.

Relating to the Taxation of Growing Wood and Timber.

*Resolved*, That the Constitution be amended as follows:

Add at the end of Article 5 the following:

*Provided, further*, the said General Court shall have full power and authority to specially assess, rate and tax growing wood and timber without regard to the rule of proportion otherwise required in taxation.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Woodbury of Woodstock introduced the following resolution:

## RESOLUTION No. 2.

Relating to the Powers of the General Court.

*Resolved*, That the Constitution be amended by striking out in Article 5, Part 2, the words "proportional and" in the nineteenth line of said section, and the words "upon all the inhabitants of, and residents within, said State, and upon all estates within the same" in the nineteenth, twentieth and twenty-first lines of said section, so that said section shall read as follows:

ART. 5. And, further, full power and authority are hereby given and granted to the said General Court from time to time, to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties or without, so as the same be not repugnant or contrary to this Constitution, as

they may judge for the benefit and welfare of this State and for the governing and ordering thereof and of the subjects of the same, for the necessary support and defense of the government thereof; and to name and settle biennially, or provide by fixed laws for the naming and settling all civil officers within this State, such officers excepted the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits of the several civil and military officers of this State, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this Constitution; and, also, to impose fines, mulcts, imprisonments, and other punishments; and to impose and levy reasonable assessments, rates, and taxes to be issued and disposed of by warrant, under the hand of the Governor of this State for the time being, with the advice and consent of the Council, for the public service, in the necessary defense and support of the government of this State and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same. *Provided*, that the General Court shall not authorize any town to loan or give its money or credit, directly or indirectly, for the benefit of any corporation having for its object a dividend of profits, or in any way aid the same by taking its stock or bonds.

*Resolved, further*, That Article 6, Part 2, be amended by striking out all of said section and inserting in place thereof the following:

The public charges of government or any part thereof may be raised by taxation. The subjects of taxation may be divided according to their kind or value into classes differently taxed.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Duncan of Jaffrey introduced the following resolution:

RESOLUTION No. 3.

Relating to Mode of Submitting Amendments to the Constitution.

*Resolved*, That it is expedient that the Constitution be amended as follows:

Insert after Art. 99 of Part II, the following article, which shall be numbered Article 100:

ART. 100. The Senate and House of Representatives, sitting in Joint Convention, may submit amendments and alterations to this Constitution, which shall become operative when approved by the voters of the State in the manner herein-before provided, such Joint Convention to be held whenever requested by majority vote of the membership of either house; and if the two houses shall fail to agree upon a time for holding such Joint Convention, or fail to continue the same from time to time until final action shall have been taken upon all amendments pending, the Governor shall call such Joint Convention or continuance thereof; if three-fourths of the membership of such Joint Convention shall vote to submit any amendment, it shall be submitted to vote of the people at the next regular election or at a special election, as directed by the Convention; if a majority of such Convention shall be in favor of any amendment, but less than three-fourths, the same shall be referred to a Joint Convention of the next General Court, and upon favorable action by a majority of the membership of such subsequent Convention, such amendment shall be submitted to vote of the people at the next regular election; final action in the Joint Convention upon any amendment shall be

taken only by call of the yeas and nays, which shall be entered upon the journals of both houses; and an unfavorable vote at any stage preceding final action shall be verified by call of the yeas and nays, to be entered in like manner.

Renumber Art. 100, making it Article 101.

The resolution was read, laid on the table to be printed and referred to the Committee on Future Mode of Amending the Constitution and Other Proposed Amendments.

Mr. Tyng of Ashland introduced the following resolution:

**RESOLUTION No. 4.**

Relating to the Duties of the Governor.

*Resolved*, That the Constitution be amended as follows:

Insert under "EXECUTIVE POWER" the following:

It shall be the duty of the Governor to present to the consideration of the Legislature such measures as he may deem necessary and expedient, and to publish the same as early as may be before the Legislature assembles.

Bills presented by the Governor shall have precedence over all other legislation except emergency measures, so designated by vote of three-fourths of the membership of the House of Representatives.

The resolution was read, laid on the table to be printed and referred to the Committee on Bill of Rights and Executive Department.

Mr. Lyford of Concord introduced the following resolution:

## RESOLUTION No. 5.

## Relating to Taxation.

*Resolved*, That Article 5 be amended by adding at the end thereof the following:

*Provided, further*, the said General Court shall have full power and authority, regardless of the rule of proportion otherwise required in taxation, to impose and levy taxes on incomes of persons, co-partnerships, associations and corporations, including gains, profits, and income derived from salaries, wages, or compensation for personal service of whatever kind and in whatever form paid, or from professions, vocations, business, trade, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in real or personal property, also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any service whatever, and it may graduate such taxes according to the amount of incomes and may grant reasonable exemptions.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Mason of Keene introduced the following resolution:

## RESOLUTION No. 6.

## Relating to Pensions.

*Resolved*, That Article 36 of the Bill of Rights be amended by striking out the words "and never for more than one year at a time," so that said Article 36, as amended, shall read as follows:

ART. 36. Economy being a most essential virtue in all States, especially in a young one, no pension should be granted but in consideration of actual services; and such pensions ought to be granted with great caution by the Legislature.

The resolution was read, laid on the table to be printed and referred to the Committee on Bill of Rights and Executive Department.

Mr. Tyng of Ashland introduced the following resolution:

RESOLUTION No. 7.

Relating to Candidates for Office.

*Resolved*, That the Constitution be amended as follows:

Insert under "THE GENERAL COURT" the following:

In all elections to office the person who at the time holds the office shall be considered a candidate, and if there is an official ballot his name shall appear upon it, unless he shall by a written statement addressed to the person or persons having authority to prepare such ballot withdraw his name, or shall have been convicted of crime, or judicially determined to be of unsound mind. If there be primary elections open to all voters without distinction, his name shall be similarly placed upon the ballots in that election, and if he shall receive therein a plurality of votes, he shall be considered as elected, and no further election for that office be held.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Metcalf of Concord introduced the following resolution:

## RESOLUTION No. 8.

Relating to Future Amendments to the Constitution.

*Resolved*, That the following amendment be submitted to the voters of the State at the next biennial election:

Articles 98 and 99 of the Constitution are hereby abrogated, and a new article, providing for the submission of future amendments, is substituted in place thereof, as follows:

Whenever the General Court, in Joint Convention of the Senate and House of Representatives, shall determine it advisable and for the public good that this Constitution be amended in any particular, it may, by a two thirds vote of the entire membership, submit such amendment as it deems proper, to be passed upon by the legal voters of the State at the next biennial election; and if at such election it shall appear that two thirds of all the voters of the State, voting thereon, have signified their approval of the same, such amendment shall become a part of this Constitution, and not otherwise. *Provided, nevertheless,* that the General Court, shall submit no more than two amendments at any one session.

The resolution was read, laid on the table to be printed and referred to the Committee on Future Mode of Amending the Constitution and Other Proposed Amendments.

Mr. Cobleigh of Nashua introduced the following resolution:

## RESOLUTION No. 9.

Relating to Trial by Jury.

*Resolved*, That the words "one hundred" be struck out of Article 20 of the Bill of Rights, and that the words "three

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hundred" be inserted in the place thereof, so that when amended it shall read:

ART. 20. In all controversies concerning property and in all suits between two or more persons, except in cases in which it has been heretofore otherwise used, and practiced, and except in cases in which the value in controversy does not exceed three hundred dollars and title of real estate is not concerned the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in cases arising on the high seas and such as relate to mariners' wages, the Legislature shall think it necessary hereafter to alter it.

Also amend Article 76 of Part Second of the Constitution by striking out the words "one hundred" and inserting in the place thereof the words "three hundred," so that when amended it shall read:

ART. 76. The General Court are empowered to give justices of the peace jurisdiction in civil causes, when the damages demanded shall not exceed three hundred dollars and the title of real estate is not concerned, but with right of appeal to either party to some other Court. And the General Court are further empowered to give to Police Courts original jurisdiction to try and determine, subject to the right of appeal and trial by jury, all criminal causes wherein the punishment is less than imprisonment in the state prison.

The resolution was read, laid on the table to be printed and referred to the Committee on Judicial Department.

Mr. Pettee of Durham introduced the following resolution:

## RESOLUTION No. 10.

## Relating to An Alternative Method of Amending the Constitution.

*Resolved*, That each biennial Legislature, by a majority vote of Senate and House separately, followed by a two-thirds vote of the whole membership in joint session, may propose not more than two amendments to the Constitution to be presented for ratification by the people in the same manner as amendments are presented by a Constitutional Convention.

The resolution was read, laid on the table to be printed and referred to the Committee on Future Mode of Amending the Constitution and Other Proposed Amendments.

Mr. Brennan of Peterborough called for the special order, the same being the drawing of seats by the delegates.

On motion of Mr. Metcalf of Concord, George W. Peirce of Winchester, Hosea W. Parker of Claremont, Joab N. Patterson of Concord, Mortier L. Morrison of Peterborough, and Edward Woods of Bath, each being more than eighty years of age, were allowed to select their seats before the drawing.

*Mr. Parker of Claremont.*—I wish in behalf of my young friends to thank the Convention for the compliment they have paid us, and while I am on the floor, Mr. President, I am reminded that there is one gentleman in the Convention who has had the honor heretofore of presiding at a Constitutional Convention, and I believe but one.

On motion of Mr. Parker of Claremont, Mr. Streeter of Concord, President of the Constitutional Convention of 1912, was allowed to select a seat before the drawing.

Mr. Pillsbury of Londonderry offered the following resolution:

*Resolved*, That the members of the Grand Army, war veterans, and Mr. Hughes of Windham, who have rendered distinguished service to their Country and State, be allotted sixteen seats in the second, third and fourth rows of seats in the third division and that the Secretary of the Convention be instructed to assign the seats to the individual members so selected.

Question being on the resolution of Mr. Pillsbury of Londonderry,—

*Mr. Pillsbury of Londonderry*.—Mr. President, in support of that resolution, I desire to call the attention of this Convention to the fact that while our boys across the seas are decorated for the honor they are conferring upon their Country in maintaining and uplifting humanity and world-wide democracy, we have with us here a band of fifteen members of that Grand Army who wear upon their breasts a badge as honorable as any ever given in any Country and under any conditions. They freely submitted to the sacrifice of their lives fifty-five or sixty years ago to uplift humanity and free a people. We cannot honor them for what they have done, "but we can honor ourselves by extending to them the courtesy, in their infirmities of age, for all have reached the age of seventy-five years and some the extreme age of eighty-three," by extending to them the courtesy of this Convention and allowing them to have seats in the center, where they can hear the proceedings of the Convention.

*Mr. Doyle of Nashua*.—I am not a candidate for office, and I am not bidding for votes. If you want to honor the Veterans, give them a front seat, not a back seat. I want, Mr. President, to be fair, but the gentleman from Londonderry is not fair; he is bidding here for recognition and support for something outside of this Convention. Now you have here a resolution to put the Veterans in the front, and I would like to suggest we put the four candidates for the United States Senate in with them.

*Mr. Pillsbury of Londonderry*.—Mr. President, I have lived here in New Hampshire so long and have had so many slurs and attacks made upon me and upon my character for doing what I believed was right that a flea bite don't disturb me. I say that these men would honor us. I have not asked to give them back seats, but the second, third and fourth row in the center, as near to the Secretary and President as any seats, excepting four in

this Convention, and if the gentleman thinks he can serve his master by attacking me, he is perfectly welcome to that privilege.

On a *viva voce* vote, the resolution of Mr. Pillsbury of Londonderry was unanimously adopted.

It was moved by Mr. Sanders of Derry that the further drawing of seats be dispensed with.

Question being on the motion of Mr. Sanders of Derry,—

*Mr. Young of Rochester.*—Mr. President, I hope that motion will not prevail, for the very reason it will cause confusion. Let every man have the seat he is entitled to. I hope the motion will not prevail.

On a *viva voce* vote the motion did not prevail.

(Mr. Streeter of Concord in the Chair.)

Seats were drawn by the delegates in accordance with the resolution.

(The President in the Chair.)

*Mr. Lyford of Concord.*—Mr. President, we can go to work this afternoon in a Committee of the Whole by suspending the rules at that time, on one of the propositions that have been submitted here, namely, the timber proposition, because if that amendment is referred to a committee, it would not be changed in form at all, but would be reported back to the Convention in its present form.

On motion of Mr. Lyford of Concord the Convention took a recess until 1.30 o'clock this afternoon.

## AFTER RECESS.

The Convention met at 1.30 o'clock.

Mr. Tyng of Ashland offered the following resolution:

## RESOLUTION No. 11.

Creating the Office of Legislative Draftsman.

*Resolved*, That the Constitution be amended by adding to the section entitled "The House of Representatives" a new section, as follows:

The Governor shall appoint, with the approval of the Senate, official draftsmen, competent to put drafts of laws into proper legal form.

Every bill for presentation in either House shall if possible be submitted to an official draftsman, whose duty it shall be to suggest such changes as may seem to him necessary to make clear the intent of the bill. Bills not so submitted shall become law only by vote of an absolute majority of the membership of the Legislature.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Tyng of Ashland introduced the following resolution:

## RESOLUTION No. 12.

Relating to the Governor and Council.

*Resolved*, That Article 46 of Part Two of the Constitution, beginning with the words "The Governor and Council

shall have a negative on each other," be stricken out, and likewise the words "and council" in Article 45.

The resolution was read, laid on the table to be printed and referred to the Committee on Bill of Rights and Executive Department.

Mr. Cavannaugh of Manchester introduced the following resolution:

RESOLUTION No. 13.

Relating to Future Mode of Amending the Constitution.

*Resolved*, That the Constitution of the State be amended as follows:

Amend Part Second of the Constitution by striking out Articles 98 and 99 of the same, and inserting in lieu thereof the following:

ART. 98. Any amendment or amendments to this Constitution may be proposed in either branch of the Legislature; and if the same shall be agreed to by a majority of the members elected to each of the two branches, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published in some newspaper in each county of the State for three months previous to the time of holding such election; and if, in the Legislature so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each branch, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people, in such manner, and at such time, as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments, or any of such amendments, by vote of at least

two thirds of the electors voting thereon, such amendment or amendments so approved and ratified shall become part of the Constitution; *provided*, that if more than one amendment be submitted at the same time, they shall be submitted in such manner that the people may vote for or against such amendments separately.

ART. 99. If at any time a majority of the Senate and House shall deem it necessary to call a Convention to Revise or Change this Constitution, they shall recommend to the electors to vote for or against a Convention at the next general election for members of the Legislature. And if it shall appear that a majority of the electors voting thereon have voted for a Convention, the Legislature shall, at its next session, provide for calling such Convention.

The resolution was read, laid on the table to be printed and referred to the Committee on Future Mode of Amending the Constitution and Other Proposed Amendments.

Mr. Chase of Manchester offered the following resolution:

WHEREAS, We recognize the fact that time as well as money and other resources should be conserved in these times of stress; therefore, be it

*Resolved*, That the time for making speeches shall be limited, the first time to ten minutes; the second, five minutes, and no member shall speak the third time upon any one subject without the consent of two-thirds of the delegates present.

Question being on the resolution of Mr. Chase of Manchester,—

*Mr. Lee of Concord.*—If the gentleman has no objection, in the third article I would suggest he say “without the unanimous

consent of the Convention to speak the third time on any subject."

*Mr. Chase of Manchester.*—I think I will not accept it, for this reason; sometimes one person will want to say something that might be very important.

*Mr. Duncan of Jaffrey.*—I would like to ask if this is adopted if it will apply to the Committee of the Whole; it seems to me it ought to.

*The President.*—I don't think it would.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Lyford of Concord, the rules were so far suspended that Resolution No. 1, Relating to the Taxation of Growing Wood and Timber, was taken from the table.

Mr. Lyford of Concord moved that the Convention resolve itself into Committee of the Whole for the purpose of considering Resolution No. 1, Relating to the Taxation of Growing Wood and Timber.

Question being on the motion of Mr. Lyford of Concord,—

*Mr. Woodbury of Woodstock.*—Gentlemen, I understand there are three resolutions that have been introduced in regard to the matter of taxation, and I hope that when we consider these resolutions pertaining to the matter of taxation, that we can consider the three resolutions together in a Committee of the Whole. I am going to take only a few minutes of your time. I am not going to take more than two minutes. I think the issue before this Convention, and the only issue, is to submit some kind of a feasible proposition to the voters of this State in regard to our taxation laws. Now there are three amendments proposed. I think one gives all the powers to the Legislature; it does not specialize any particular method of taxation, but it gives the Legislature the entire control of the situation, as I understand it, so far as it can be given. The first resolution pertains to one particular subject or possibly two. I think if we are going to present any feasible proposition to the people, we must present some proposition that is going to be fair, and understood to be fair, to all sections of the State. Now I hope that the gentleman

from Concord will accept my suggestion, which is that these three measures be considered in a Committee of the Whole together, and then after the consideration by the Committee of the Whole, and the Convention understands just what the feeling on that question is, then from these three resolutions there may be some sort of proposition framed up by the Committee on Legislative Department that can be brought before this Convention and adopted. Then we can go before the people with some kind of proposition that will relieve, as they say there should be some relief in regard to taxation, so far as our Constitution is concerned. When that is done, I am perfectly willing, so far as I am concerned, to see this Convention adjourned to some future time to consider other amendments and to go home, and I hope the gentleman from Concord will accept my suggestion.

*Mr. Lyford of Concord.*—I should be very glad personally to oblige the gentleman, but I think that we will make more progress at this stage of the Convention by considering this concrete proposition. The amendment is a part of the amendment that was worked out in the last Convention. It was coupled with an amendment classifying property of the kind known as intangibles. As I understand the gentleman's amendment, which he was kind enough to show me, it opens the door, with no restrictions, to legislation on the question of taxation; and the other amendment to which he refers, I presume is the one which I introduced which is the amendment in regard to income taxes and which would cover the intangible proposition. I have no wish in this matter one way or the other, but it is my belief that today you can take up this amendment on the question of the taxation of growing wood and timber and reach a vote one way or the other on it. The amendment of the gentleman, to which he refers, that he has introduced, is a very broad amendment. Whether I am in favor of it or whether this Convention is in favor of it, it may require a good deal of discussion. It seems to me that it is a great deal better this afternoon, at this stage of the proceedings, to consider this amendment that needs no tinkering as to its phraseology, instead of coupling it with other amendments that will naturally go to committees.

Mr. Duncan of Jaffrey moved to amend the resolution of Mr. Lyford of Concord by adding thereto, Resolution No. 2, Relating to the Powers of the General Court, and Resolution No. 5, Relating to Taxation.

Question being on the motion of Mr. Duncan of Jaffrey to amend the motion of Mr. Lyford of Concord,—

*Mr. Duncan of Jaffrey.*—Mr. President, it is a maxim that “the whole includes a part.” Now the proposition of the gentleman from Woodstock covers the whole field of taxation. It seems to me that that is the first question to be decided, whether this Convention is going to submit a wide open amendment or not. After the Convention has decided whether or not to do so, if it decides it will submit the Woodbury amendment or some modification of it then there will be no further need of discussing the forestry amendment; if on the other hand, the Convention decides not to submit the Woodbury amendment, then will be the proper time to take up the parts, the forestry amendment and the amendment proposed by the gentleman from Concord, Mr. Lyford. It seems to me that the first thing for us to do is to discuss the whole question before we try to discuss parts of the question.

On a *viva voce* vote the motion of Mr. Duncan of Jaffrey to amend the motion of Mr. Lyford of Concord, did not prevail.

Question being on the motion of Mr. Lyford of Concord,—

On a *viva voce* vote the motion was adopted.

#### IN COMMITTEE OF THE WHOLE.

(Mr. Snow of Rochester in the Chair.)

*Mr. Ayres of Franconia.*—Mr. Chairman, I rise not to address the House, but merely to ask a question as to its pleasure. We have in this body several specialists upon the subject of forest taxation. One of these is Professor Updyke of Dartmouth College, whose specialty is taxation and who has studied the subject of forests in the State; another is Mr. J. H. Foster of Waterville, formerly Professor of Forestry at our State College; and Mr. Amey, our Tax Commissioner, who has paid special attention to forest taxation; and I ask if it would be the pleasure of this House to hear from these gentlemen.

*Mr. Amey of Lancaster.*—I was not aware that I was to be drawn into the fray. I may decide to discuss this question, but I want it understood that I am not to be delegated to discuss it.

*Mr. Ayres of Franconia.*—If it is not the pleasure of the Convention to hear from the specialists, I would like to make a few remarks of my own. What I will say is merely to introduce the subject. I have already said to the Convention that the forests of the State are one of its fundamental resources. It is estimated that in the pine woods alone we have upwards of fifty million dollars in value in this State. The United States census of 1900 has given us the information that taking our woodlands as a whole, there was at that time annually sixteen million dollars of gross revenue from our woods. This is probably very much larger now and possibly double. This gross income is used in paying our men who operate the woodlands, and the families that work in the wood-working factories and mills, of which there are about six hundred in the State. Another fundamental resource of New Hampshire is its water power. The water powers of New Hampshire are used very largely by other States, but the water power depends in a large measure upon the condition of the standing woods in New Hampshire. There, of the two, our woods are the more fundamental.

Woodlands in New Hampshire have disappeared very rapidly, largely from the advance in price of timber and from the system of forest taxation under the Constitution and laws of the State, which the Tax Commission has endeavored to enforce. It is reckoned in the judgment of some of us who have been much in the woods and have studied the situation, that the present condition is seriously at fault, and that by an amendment to the Constitution it can be improved. Indeed, the last report of the Tax Commission has suggested this to be the fact, and has given the resolution unded discussion.

Timber grows slowly. The forest experts have shown that spruce increases seldom at a rate of more than two per cent a year; that pine will grow faster, depending upon its site; on a first class site in New Hampshire, it may sometimes reach a growth of five per cent a year. As a rule, pine in New Hampshire increases from two to three and a half per cent a year. These are facts you can easily verify by others who have studied the subject, and they all agree. If your tax rate is two per cent a year and the growth two per cent a year, the entire income of your forest for the year is taken up in taxes. If your taxes are more than two per cent a year and your growth is less than two percent a year, there has to be taken out of your pockets something more than your total annual forest growth to pay the

taxes. In order to determine your final profit this sum which you have to pay out annually has to be compounded at say four per cent interest until the final returns from your timber is in, then deduct from the price you get for your lumber. This is confiscatory taxation. I understand it is the habit of the tax assessors in all States to regard anything that takes fifty per cent of the annual produce as confiscatory. We have in New Hampshire a system of forest taxes that takes the entire profit in many cases, and sometimes takes more than the value of the annual growth.

Why then are people so anxious to buy up timberlands and hold them? The reason is because we have been on a steadily advancing market in timber for a number of years. Since the war broke out, the price of timber has advanced very much more rapidly than before. That advance in price has been a market condition and the profit in holding timber has been speculative more than a stable profit. Timber would have disappeared because of taxation very much more rapidly than it has had there been a stable market for timber all the time. Timber has fluctuated in the last ten years more or less in value. After the Civil War there was a considerable slump in timber, and there may be a considerable slump after this war is over. Just as soon as the enhanced present value of timber is realized and the Tax Commission enforces the law, that is, places full assessment upon the new high values, and thus doubles the taxes which we are now paying upon our timber, a considerable part of our forest lands will be forced upon the market. Those of you who come from the southern towns in New Hampshire know better than I can tell you the extent to which the timber is being cut off, and many of you know the exact reason why it is cut off, because the owner hasn't ready money to pay out in taxes every year until he cuts his woodland. Some of the towns have responded more than others to the efforts of the Tax Commission to enforce the law. Some of the towns have continued to do about what they thought was right to the timber, because they knew to enforce the law would be practically to make more difficulties for the town. Other towns, in need of additional revenue, have responded to pressure from the Commission. The result is we have great unevenness between the different towns, and sometimes we have great unevenness in the same town. Analyze the situation. The result is that we have almost as many systems of forest taxation as we have assessors. Some of the towns that are short of revenue have yielded to the pressure of enforcement of the law, and those not in need of the revenue have let the timber remain at the lower rates. Because it is impos-

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sible to enforce the present law, we ask for the passage of this amendment.

As I have said before, this is not an attempt on the part of the timber owners to escape taxation. The votes and remarks of the large timber owners in this body since yesterday morning have shown you that the large timber owners are not particularly interested in changing forest taxation. It is in the interest of the small owners, who hold four-fifths of all the timber in New Hampshire that we ask this amendment, and it is largely in the pine region, where the selectmen and everybody else knows the value of the timber lot, and where it is not easy to evade the enforcement of the law which says full valuation shall be taxed every year. Therefore, gentlemen, in the interest of the small woodland owner, and particularly in the pine region of the State, which brings in possibly as much as eight million dollars a year gross revenue, we ask you to amend the Constitution in such a manner that the tax may be differently applied and come to payment at the time when the timber is cut and the owner will have something to pay.

Now there is only one other point upon which I will detain you, and that is, what will become of those towns in which the present tax revenue comes largely from timber, where the population is small and the property values, except timber, are small, and yet they have schools and roads to maintain. This has been worked out in the States of Massachusetts, Vermont, Connecticut and Pennsylvania in a way that is satisfactory to the towns affected. I believe that the best system is by some arrangement of an amount to be loaned by the State, by which the tax burdens of those towns can be relieved, at least in their payments to the State, until the timber is cut and the tax is paid to the town. At any rate, this problem is being worked out satisfactorily in other States. The language of the law in Massachusetts is very cumbersome, but the meaning is plain, and we can adopt a system in New Hampshire that will meet that need, but this is properly a matter for the Legislature. Therefore, gentlemen, as a representative of the Forestry Association of the State, I ask you for the protection of our forests, and I ask you to pass this amendment.

*Mr. Abbe of Dublin.*—I am quite anxious to hear these other gentlemen speak of whom Mr. Ayres has spoken. I suggest they give us their views.

*Mr. Foster of Waterville.*—Mr. Chairman and Gentlemen, my name has been mentioned here, so I felt perhaps I ought to voluntarily come forward and say something. My interest in the question of forest taxation dates back to about ten years

ago when I was in the employ of the Government, in the forest service. At that time the Government was coöperating with our New Hampshire Forestry Commission in a study of the question of forest taxation, with a view of finding out just what effect the general tax law had in the cutting off of timber lots. I spent at that time some six months in the State of New Hampshire studying the question and looking at the wood lots, particularly in the southern part of the State, as well as some larger timber tracts in the northern part. My report was published in the report of the Forestry Commission for the year 1909-1910, and showed very much what Mr. Ayres has stated to you: that there was great irregularity in the method of assessing lots; in some towns lots were assessed very much higher than they were in others, and lots in the same towns were not always assessed equally or fairly as between them. There were all sorts of variations; but in general, it was shown that where the lots were assessed highly, the lots were being cut off more rapidly than where they were not fully assessed. This was quite a long time ago and I haven't the details fully in mind. Several years after I went to Durham as Professor of Forestry, and in coöperation with the Forestry Commission and the Tax Commission, it was my pleasure to make another study of the same 250 or 300 timber tracts I had examined in 1907. These lots were reexamined, and also the conditions, which had changed since the time when I first made the study, were looked into to find out what had happened to these lots in the meantime. I wish I had my figures in detail with me here now; but I want to say to you that most of these timber lots which I had examined in 1907 and which I further reexamined in 1912, I think, or 1913, had been cut off, and those which had not been cut off were being held for esthetic purposes, and the taxation of these lots had been raised very much above what they had been when I had first studied them, and the presumption was rather clear that these lots had been for the most part forced on the market by the constantly increasing valuation. These lots were mostly in the southern part of the State. My interest never has been, in so far as the study of taxation is concerned, applicable to the northern part. I believe that the timber lots, the big timber tracts, are so much vaster than the wood lots which are parts of farms, that we can hardly consider them at the same time, but it seems in my judgment that the farm wood lots have suffered tremendously from the effect of high valuation.

Now any forester can show you by means of figures, and very simple figures, that timber does not grow as fast as

some people think it does. Some good live pine lots do grow fast, but the majority of lots grow slowly; two per cent on the volume per year is about as much as any standard timber lot will grow. Now that isn't very much, and when we tax it two per cent, we are taxing all the value it increases. In other words, you are taking away the income, and if you have only growing timber, the principal that is in that timber is not great enough so that you can get all you should if you put it on the market and cut it off. In other words, it has a prospective value which is enormous; but it has at the time only a small value, which it would be possible to obtain if you put it on the market. If you took away the income which that lot has in the growing timber, by means of taxation, it lessens the principal which is there, and the burden on the owner has got to be taken away either by his cutting the timber or else we have got to change our system of taxing that land. The growing timber in this country, and particularly in the southern part of our State, is being cut, as I believe, very largely through the fact that the farmer and the owner do not have the money to pay the taxes on the lot, or if they do pay they have to obtain funds from some other property; and if they intend to hold the growing timber, they have got to hold it at more or less of a sacrifice.

Now I know these facts are true, and while I cannot present them to you in the way I would like to do and as I would if I had all my figures before me, yet I want to impress upon you there is a time coming when we will need to change taxation. It may be now or it may be best to wait for awhile. I have no final solution to offer. I could tell you perhaps what systems they are using in Europe and other States; and this I can tell you, the truth is we cannot assess this growing timber in the same way that we assess other property. You can not get an annual income from it. It is there, laying on new wood each year, but it cannot pay taxes year after year at the same valuation you assess other property. If you do it becomes confiscatory. Where people have made money in pine lots or other lots is the fact that they have had a rapid increase in stumpage, a speculative value. That speculative value has made a lot of money for people, and has nothing to do with taxation. We know there is money in speculation; buying a lot cheaply and cutting it and selling it, you make money from it, but speculative value is not something you can count on. We all know prices are high today. They may go higher but they may not. The principle of taxing the full value of timber lots is unjust and any forester who has studied it will tell

you so. As to the solution, I don't know. I have tried to work out a solution, and I have been discouraged. Others have tried, and some States have passed very good laws in regard to it. This I do ask you to do, that is, make it possible to assess all growing timber lands differently than we assess general property. Then as to the manner of assessing, leave that to further investigation and the Legislature to determine; but make it possible to assess it differently than we do other general property. Whatever way they might work out the problem isn't a question for us to decide or for me to try to tell you about. I feel certain that it is only a matter of justice.

I would be very glad to try to answer any questions you may have, but I am not a public speaker, and I cannot think at this moment what else I might say to you that would be of any importance.

*Mr. Ayres of Franconia.*—I would be glad to distribute a number of copies of your report, which I have not at hand this moment, but we can have them here tomorrow morning.

*Mr. Foster of Waterville.*—I might add further that you will not find the big timber men of the country interested in this. I know they are not. The big timber land owners of the north are not going to profit by anything we might do to change the assessment of growing timber lands. We do not necessarily want them to, but we want to save our growing timber, and you will find that the people who are being hurt by the present assessment and who are anxious for some change are the small farmers, who haven't very much money but who have growing timber lots in connection with their farms. Those are the people who are suffering and whom we want to favor and help if it is possible to do it.

*Mr. Towne of Franklin.*—Mr. President and Gentlemen of the Convention, when I accepted the nomination and election to become a member of this body, I came with the same thought that many of you did, as expressed yesterday, that it was necessary for us only to come here and adjourn to some more appropriate time. Since then I have conversed with men from all sections of the State. I have read practically every newspaper published in the State; and I have found there was one question which weighed upon the minds of the people and which they desired to have settled and settled in a satisfactory manner, and that was this question of taxation, and so for that reason and that reason only, I voted no, yesterday, on the question of adjournment, entirely different from what I expected to vote when I was elected last March. I wish to emphasize, if I may, what has been said by the gentleman who has just spoken,

that the passage of this resolution isn't something which will benefit the wealthy land owner or the wealthy timber owner. It was this thought which defeated the amendment which was recommended eight years ago, I am very sure. The southern part of the State, you will remember, voted practically for the amendment, while the northern part of the State voted against it. The men who own large tracts of timber do not need this amendment. They don't care for it. Why? Because their timber is ripe for the cutting, and if an assessment was made whereby the timber now should be taxed at its full value, they would be taxed more than what they care to pay. As one of them said within a day or two privately, "We have had our taxes paid before we bought the timber;" and the man who owned the land and allowed the timber to grow upon that land was the man who had paid the taxes. Gentlemen, an amendment of this kind will benefit the men who have timber lots of ten, twenty or forty acres; and gentlemen, a member of this Convention, whose name I do not know, with whom I was speaking this morning, told me that he recently sold two hundred thousand of pine simply because the taxes were eating it up. Now, you gentlemen who understand the growth of timber know that a tree ten or twelve or fifteen inches in diameter is growing very rapidly; it is increasing in value very much faster than it did for the first ten years of its life. That is the time, gentlemen, when that tree should be allowed to grow, but as the law now stands, and as the Tax Commission insists upon property being taxed at its full value, if those trees are taxed at their full value year after year, the tax becomes so large that the small farmer, especially, as was said by the gentleman preceding me, is obliged to sell to obtain the money to pay his taxes, and in that way the man who owns the lumber not only loses the value, but the State also loses that value. Timber in the State of New Hampshire is an asset for the State, and the more timber we have the more value the State possesses.

Now I haven't very much to say. There are other arguments which will be made to you by other gentlemen; but I do want to say this much more to you. I have explained why the amendment was defeated eight years ago, in my opinion, and how it should now be reconsidered and made a part of the work which this Convention should do, and the matter referred back to the people to let them vote upon it, and if necessary, and probably it is best, to vote upon this question of taxation separately from the question of the taxation of intangibles. I believe that these two amendments are the most important amendments that can be brought before this Convention today. We may believe there

are many other things in the Constitution which should be changed; perhaps almost any one of us could rewrite it to suit ourselves better than it stands now; but these are the two most important things to be considered, and I hope they will be considered carefully and conscientiously, and that before we adjourn we shall have passed suitable amendments, so worded that they will carry conviction to the voters and that they will become a part of the Constitution of the State of New Hampshire.

*Mr. Duncan of Hancock.* — It may be presumptuous for me to get up here to speak to you. I am not an orator or a statesman. I am one of these farmers that have been referred to here, in whose interests some of these people seem to be laboring, but we don't look at it in just that way ourselves. Now, to answer first some of the things that were said last. The two last gentlemen have said it was the small farmer, the man who has a small woodlot who is interested in these amendments about taxation. Now, think for a minute, gentlemen; if I have a farm of two hundred and fifty acres and perhaps as much more in wild land — I am not here to boast, as the girl said who went to confession. She said: "Your Riverence, I have to confess that Mike Mahony kissed me." He said: "Did he kiss you more than once?" and she said: "I am not here to boast, I am here to confess." I am not here to confess, but merely to say if your town in which you reside raises \$20,000 in taxation, and one-half of your property is exempted or greatly reduced, why doesn't it double up on the other half? Now we are common people here today, that is, some of us; we haven't sent out hundreds of dollars' worth of circulars and personal letters in the interests of the side that retains us; we didn't have a preliminary meeting; we didn't choose a steering committee to see this thing through; but it seems to me this side should be heard.

I have been a little interested in this for several years, and I just noted down a few of the facts which interested me in connection with this subject. Now it was said here yesterday by the gentleman from Concord that this amendment lacked only a few votes of passing eight years ago. After hundreds of dollars had been spent in sending out circulars to the people and in writing them personal letters urging them to vote for the amendment, the vote stood in 1912, 12,637 in favor of this amendment and 23,108 against it.

Most of the circulars sent to the members this year state that the main reason for calling this Convention was for the relief of these timber owners. Now look at your red book which we all received. Out of about 85,000 voters, 21,598 voted for this Con-

vention; 14,520 voted against it; not a very imperative call, it seems to me, if this was a matter of such great interest and after so much effort had been made to arouse interest in this subject.

In the Convention seven years ago a young lawyer from Manchester, whom I afterwards learned was secretary of the Timber-Growers' Association, said that at the rate the timber was being cut in New Hampshire, in ten years there would not be a log big enough to saw an eight-inch board. I don't know but he was worried that if he lived a great while there would not be lumber enough in the State to make him a coffin. I wish I had that young man with me a short time. I should like to show him a little timber in the southern part of the State. The last speaker claims there is no timber in the southern part of the State. I would like to show him too the property of one man who has recently died, where the appraisers have found, as they claim, some thirteen million feet of lumber. I would take him to the property of another man who has passed away, where they claim there are twenty million feet of lumber. I would take him to the property of another syndicate or association or company, where, a short time ago, on account of the death of somebody, it had to be looked over and appraised. My son-in-law, Mr. Pickard, was interested in it, and he told me Monday morning they claimed over thirteen million feet on that; and I might go on. One man after the Convention convened and when this amendment came up—he is a friend of mine, and they say he is worth a million dollars, but that don't help me any,—wrote me a personal letter and said: "I hope you will vote for this amendment;" and today he has property where the pine is deteriorating.

Now, when Ex-Governor Batchelder was Secretary of the State Board of Agriculture, the State, through him, laid out thousands of dollars advertising abandoned farms and encouraging people to come back to the farms in New Hampshire. What is the condition in the southern part of the State? Wealthy men have come in and bought up large tracts of land, some of them five or six or seven or eight thousand acres. We all know something about the Austin Corbin Park, where they have 28,000 acres. What is the result? Whole school districts are abandoned; buildings are laid low. In our section a man has bought six or seven thousand acres, run a barbed wire fence around it, and lets it grow up wild. One of these men bought a farm in the town of Stoddard, with a fine barn, all clapboarded and painted, and with a good farm house. He would not allow anybody to do anything with them, and the barn literally fell into the cellar.

and that was within half a mile of the village; and he just uses it as a shooting range and lets it grow up to wild land. You encourage these wealthy people to come in and buy up our wild land by not having them pay a tax, and it seems to me you are just putting a premium on abandoning these farms; I tell you, gentlemen, we need the farms and the men back on the farms in these times, raising potatoes and beans and sheep and cattle, more than we do to encourage these wealthy people to come in and buy up the land and turn it out wild. They won't pay any income tax on these lands if the pine is growing, and why, if it is such a poor investment and the taxes are eating up all the profit on the growth, are they so anxious to buy the land? I know some that were frightened because there wasn't going to be any wood and timber by and by. I can remember when I was a boy they used to say: "What shall be done when there is no coal? what shall we do when the kerosene is exhausted?" Some have been worrying about it ever since. Just see what substitutes are being used to take the place of coal. They discovered electricity; and the Connecticut River Power Company is generating electricity enough to take the place of the consumption of 300,000 tons of coal a year; and I read only a short time ago in the Review of Reviews that George M. Mitchell of the United States Geological Bureau, has discovered a substance from which gasoline can be made, and there are large quantities of it in Nevada and Wyoming.

Considerable has been said about lumber being higher than it was. That is true; but is it higher on the stump, very much higher? I say no. I have interviewed lumber men who say now that the increase in price is due to the labor problem, that is, the increased expense of labor. Then the substitutes for lumber. They are not using as much lumber in ships as they used to; they are using steel and cement; they are not using as much in making buildings; they are using cement, brick, etc. Passenger cars and freight cars are being built of steel; and so you can follow it clear down through to the farm and your grindstone frame or the pail you buy your white lead in. Something else is being substituted for lumber.

I don't believe, gentlemen, that the common farmer in this audience or his constituents at home, who have little wood lots, is anxious to see the taxes reduced on them and the taxes put upon the rest of his property, when it is going to reduce the taxes on these big estates of five or six or ten thousand acres. Do you know, gentlemen, one twentieth of all the real estate in the United States is now owned by 1,694 men. Do we want to pass any law or make any arrangement or submit any amendment

here that is going to encourage the purchase of such large estates by a few wealthy men, perhaps non-residents, and in time encourage such a situation here as has prevailed in Europe? Abraham Lincoln said: "God must have loved the common people or he would not have made so many of them." I am speaking here in the interests of the common people.

*Mr. Brennan of Peterborough.*—I know the delegate from Hancock to be a very honest, reputable gentleman who would not knowingly deceive this Convention. He has made an error. The figures of the State vote are given by him wrong end to and his county and his town do not strongly support him in the position he has taken before this Convention. As to the statement of the vote which he gave, I wish to call attention to the fact that on Amendment No. 3, which was similar to the one we are now discussing, the State vote on its adoption was not as he gave it, but was 23,108 yes, 12,636 no; that of Hillsborough County, his county and mine, was largely yes, 5,807 to 3,180; that his own town of Hancock was only 5 majority no, while my town of Peterborough was 66 majority yes.

While I am on my feet, I wish to express my views very briefly on this matter. We may differ as to just what changes should be made by the Legislature; we might indeed as legislators differ as to just how that power should be exercised, but we should here in this Convention decide this question, namely: Should conditions remain just as they are or should there be some kind of a change made, or some further grant of Legislative power given in matters of taxation? That is the question. If we come to a Legislature, which has such extension of taxing power, we must then determine upon the justice and wisdom of exercising that power, the details of which will have to be worked out there; the question will then be as to just what change if any should be made by the Legislature relative to taxing timber, intangibles, etc. But it will simplify matters here if each of us asked the questions: Should there be any change in present conditions? Should we give any further taxing power to the Legislature? Those who answer no, believing that the present Constitutional curb should remain, will be on one side; and those who believe there should be some change,—while perhaps not entirely clear just what the details should be, but convinced that present conditions are bad,—will be on the other side. It seems to me if we divide ourselves on that preliminary question, we will make more progress than would be accomplished in going into the details at first. Of course, we may discuss these details somewhat in determining this question, but, Mr. Chairman, on this particular matter, I believe almost every person, in this hall has discussed and

heard this question of extension of Legislative power discussed, and I am satisfied that most of the delegates have made up their minds, not perhaps just what the details should be but as to whether or not there should be any change in our Constitution, giving more power to the Legislature regarding taxation. I suggest that we keep our eye upon the target and discuss the question as to whether or not any change in the Constitution in this regard is desirable. Those who will say we do not want any change will vote one way and those who believe Legislative power should be increased will vote the other. I am of the opinion that our Legislature should be given larger discretion in the classification of property for taxation.

*Mr. Streeter of Concord.*— May I ask a question? I think other members of the Convention as well as myself, must be confused by the figures which you and Mr. Duncan have been giving us. I want to ask if you are sure you are right in your statement?

*Mr. Brennan.*— I am quite sure I am right; I read the record of votes from the Journal.

*Mr. Streeter.*— As I understand it, the way you read it, there was a majority in favor of about 10,000.

*Mr. Brennan.*— I will say to my Brother Streeter that there was a large majority in favor, but it is necessary to have a two-thirds vote to adopt an amendment to the Constitution; there was not a two-thirds vote, but there was a large majority vote.

*Mr. Amey of Lancaster.*— It lacked about 700 of two-thirds.

*Mr. Duncan of Hancock.*— I want to apologize if I have made a mistake. I will say that this matter has been discussed at our Old Home Day gatherings; it has been discussed at the Pomona Grange in Hillsborough County. The people of Hancock are in the habit of sending a Democrat to the House, but although they nominated a very strong Democrat against me, I got almost two votes to one exactly on this issue, and I take it the town is behind me.

Now just one other thing; I wonder why it is 420 or 430 men here are not supposed to be as clever as the men that come to the Legislature; are not supposed to know as much or to be able to discuss this matter? I wondered, as I listened to those who believe in this project,— they have had preliminary meetings, they have an organization, and they have sent out circulars, this, that and the other — and I wondered if it occurred to them that in the Legislature they could slide the matter through a committee and get a favorable report and the people in the house would not have much chance to discuss it; and they could push it through the Legislature easier than they could here, where everybody can speak their mind. After they failed to get it

through the last Convention or failed to get the matter approved, in the closing hours of the Legislature when Felker was Governor, they tried this very thing, and Charles O'Neil said: "It is not right; it is not fair to the people of New Hampshire to try and put through such a momentous proposition without giving the people plenty of time to discuss the matter and be heard upon it." More than that, some thought it would not be Constitutional. They had people here to try to push it around so it would go. I can remember when people came here and stayed all winter in the "Third House" and nothing was said about it, but lately they have to register and say what they are here for and what they get. Among the records there is this item: "The New Hampshire Timber Growers' Association: paid F. H. Bullard, \$450." I don't know who he is; perhaps it was all right; but it simply shows there was money being paid to push this thing through. I wasn't certain of the sentiment when I got here, but I have heard a lot of talk, for my hearing is good if my sight is not. I find a lot of people who don't believe in this measure, and I find there are a lot of people here who believe that today we ought to put our foot down upon it so it won't bob up again in the Legislature or anywhere else. I believe there are people here, just the same as I am, who were elected on this issue to come here and do what they could to kill it out and give the common people a chance to keep their farms and live on them.

*Mr. Mason of Keene.*—Mr. Chairman and Gentlemen, I don't own any pine timber and I don't expect to. I don't know very much about the question of taxation, but I was very much interested in the figures that were given a few minutes ago, and having experimented somewhat with these figures, in connection with another resolution, I tested them and found the same results that the previous speaker has found; but it seems to me you cannot emphasize that fact any too much at the present time. What was the attitude of the people of the State of New Hampshire on this question the last time they voted upon it? In the first place, it was presented to them tied up with the question of the taxation of intangibles and bank stock, and I think perhaps that alone would have caused the defeat of either one of these propositions, because there were people who were opposed to each of these questions separately; but in spite of the fact that it was tied up, as it was, with the taxation of intangibles and bank stock, 23,108 people voted in favor, and 12,636 voted against it. If 23,828 had voted for it, it would have been carried; that is, if 720 more people had voted for this measure in the whole State of New Hampshire, the amendment

would have been carried in 1912, by a two-thirds vote. Let's fix that in our minds; if only 720 more people had voted for it or 311 people had changed their minds on that vote, tied up as it was with the intangibles and bank stock, it would have been carried. As I say, I don't know much about pine timber or taxation, but if the people of New Hampshire came as near to passing this amendment at that time it is only fair to give them a chance to vote on the question again, and I hope the motion will be carried.

*Mr. Hutchins of Stratford.*—I assure you, gentlemen, that I will not detain you long but I have a private opinion in regard to the taxation of timber lands, growing wood and timber, and my opinion is based upon personal experience of nearly thirty years as a lumberman. To preclude my remarks, I will say that I am an extensive timber owner, myself.

I can assure you further, gentlemen, that if you look through the three northern counties of the State, Coös, Grafton and Carroll, which constitutes nearly 50% of the area of New Hampshire, you will find that nine-tenths of the men that have become wealthy or nine-tenths of the estates that amount to anything financially that have come into our Probate Courts derived their wealth directly or indirectly from timber projects. They have not suffered under the present rule of taxation. If the selectmen throughout the State will enforce their good judgment and show their gray matter properly, there is no danger of burdening anybody, in fact there is a way of interpreting the present tax law and there is still another way of interpreting the same law.

The method adopted by the Town of Stratford, and I feel that it is a just method, is as follows: The selectmen figure the acreage of a lot and if a man has a few thousand acres of timber they figure the value of the land proper for the purpose of growing timber upon it, and it is certainly worth more when it is a tract of growing lumber or mature lumber worth \$25 per thousand than it is when it is a growing tract and lumber is worth only \$10 per thousand.

We tax our lands from \$3 to \$4 per acre without growth, which I should say, on the whole, is satisfactory to everybody; and if we examine our lands and find that there is nothing growing upon them, then we do not tax them more than the land value proper, but if there is any more value to it, we tax what we find in addition to the land value. If it becomes a property of sufficient value to buy and to sell for the purpose of commercial gain we tax it for as near its true value as we can determine, taking into consideration location and market value as of April 1st each year, and this we feel is just, and we are entitled to

exercise that right; consequently the more timber we find the higher we place the valuation.

The Town of Stratford is worth a million and a quarter of dollars upon our tax books, and I took pains to look the day before I came here and found that over \$734,000 was placed as valuation of unimproved lands, which means growing wood and timber. Upon our assets, as a whole, we have constructed a fine brick schoolhouse that cost us \$35,000. We have also constructed, under State supervision, fifteen (15) miles of the West Side Boulevard, paid our proper share toward its construction and are maintaining it according to law and the present policy of the State Highway Department.

We have bonded the town to pay for these improvements and are maintaining a town suitable and pleasant in which to live, a fine place to come for comfort and education, and, we have balanced our finances and expenditures upon our assets, which, of course, comprise our timber tax. If the timber tracts are taken away from us under classification, we then become over-balanced and all the expenses of the schooling of our children and the maintenance of our highways would fall upon the day laborer and the farmers, and I say, gentlemen, that it is an injustice to try to amend the Constitution in such a way that it will affect the whole northern part of the State directly and the State as a whole indirectly. What is true of the northern part of the State perhaps is also true of Cheshire and Sullivan Counties.

Still further, if you will travel from Manchester through to Exeter over the highways you will see on that trip a vast amount of timber; apparently it has not been cut because of over-taxation. Owners will tell you that they will cut but they will not until market and labor conditions are satisfactory. This question, gentlemen, is largely a matter of sentiment. Mr. Mason spoke of the result of the vote upon this subject when before the people on a previous occasion. I can imagine how it happened. People did not understand the question in all its phases. They did not wake up to the true condition. Every one desires to conserve our forests and our resources. It is not fitting for us to come here at this time, representing our several communities, and to endeavor to cover up a large part of our assets, when the government is searching the whole country with a fine-tooth comb to find every available asset upon which to make levy for taxes and revenue. Who would we be benefiting by this plan? Men and estates unquestionably able to pay the taxes?

What would be the result on agriculture if the State Board were here advocating this measure? They might not be at fault,

perhaps, but they certainly would be short sighted, for just so sure as this resolution is passed and becomes a law, timberlands would be inflated to an enormous value, which would make them accessible only to a wealthy man or corporation. He would have no taxes to pay on account of his growing timber.

Sixty-three per cent (63%) of our State is covered with timber; some of it is brush to be sure, but there is more lumber standing today, if you scale it properly, than ten years ago. That may seem a broad statement but I will defy you to prove that it is not so. Taking the taxation in organized towns where the tax rate is one and one-half and two and two and one-fourth per cent, you would naturally suppose the tax would be responsible for the heaviest cutting, but statistics show us differently. They are cutting off the timber in unorganized towns to a greater extent. In looking over the taxes assessed upon unorganized places in Coös County where there are no inhabitants or organized local government, but which come entirely under State and county control, during the last ten years more than fifty per cent of the timber cut has been taken from these unorganized places where there is practically no tax other than State and county. This class of property in Coös County alone, if I remember correctly, was only \$204 last year. Hardwood tracts today, without question, are rapidly increasing in value. If you doubt this statement, try to buy standing cordwood from some of the owners. I know companies who own hundreds of thousands of acres of timber lands who are charging \$4 per cord stumpage for cutting rights and, in many cases, lots from which such cut has been taken we have found, upon investigation, were not taxed for one-sixteenth part of what they asked for the cord wood alone regardless of the land values. Occasionally we hear of individuals and companies who are liberal and magnanimous enough to allow their employees cutting rights at a lower value but this is an exception rather than the rule. Now, gentlemen, I tell you this is a one-sided question, with wealth in one balance and poverty and hardship in the other.

When the United States Government comes forward and offers the lumbermen \$120 per thousand for clear spruce aeroplane stock you need not tell me that they are overburdened under the present policy of taxation. One spruce tree that will cut 200 feet of aeroplane stock would bring sufficient money to pay the taxes upon the whole lot for twenty-five (25) years. Now, gentlemen, let's not be influenced too much by sentiment. Voters ignorant of the true condition of affairs, influenced largely by sentiment, voted in favor of this resolution when before them the last time, and many of these, as records show, came from the

cities where the propaganda sent out by the Forestry Department and other interested parties was most largely read. I agree with the principles of conservation, but not in the method asked for by this resolution.

We are all selfish beings. Every man is selfish. I am a timberland owner as before stated and what I may be besides a selfish man, it costs me an extreme effort to accomplish. When a man can stand before this Convention and say that he tries to be honest, you would be justified in taking that man and his statement for just what he has accomplished and performed in his own personal and official capacity. If that be true with me it is true with everybody.

Now, gentlemen, as I stated before, do not be influenced by sentiment alone. Do not allow this resolution to be adopted and have our State owned by men of wealth who could, if they saw fit, allow our farms to be abandoned under the guise of growing timber and forest conservation. This would materially reduce and decrease our tillage acreage, which would, especially at this time, be a calamity. We need more tillage land; we want more farms; we want more farmers; we want more food products.

Now instead of adopting this resolution and changing our present law let's leave it as it is and go home to our constituents with clean hands and clean minds.

Mr. Hutchins of Stratford moved that the Committee do now rise and report the resolution with the recommendation that it be not agreed to.

Question being on the motion of Mr. Hutchins of Stratford,—

*Mr. Ayres of Franconia.*—As the Committee allowed me to open the discussion I trust they will allow me a few minutes to close it. I have been naturally very much interested in what has been said, and wish to answer one or two of the arguments. It has been said that under the present system of taxation the big estates in the southern parts of the State have reached the large acreage of thirteen million and twenty million feet in particular areas, and that if this amendment is passed, it will be for the benefit of these large tracts. I want to say this: that under the present system these large tracts have been accumulated because the small owners cannot afford to hold their lands; the small woodlands are forced upon the market, and the large

buyers or large syndicates of buyers who are interested in pine woods in the southern part of the State have been obliged, in order to keep the timber in the neighborhood of their mills and under their control, to buy up this timber in large holdings. There is a member of this Convention who has been buying timber in large amounts, and he states that the reason why he does it is that when owners cannot longer hold their woodlands they are placed upon the market and he has to take them against his will, for if he does not do so, people from outside the State, with mills farther away, will take them. Thus the present system is responsible for taking the timber from the small owners and putting it into the hands of large owners in the southern part of the State.

The last speaker suggested that the gray matter and common sense of the people in the northern part of the State, if their judgment was taken upon the question of what taxes should be paid, would find no difficulty in leaving the situation as it is. I believe profoundly that if the judgment of the local people in regard to timber taxes throughout the State was permitted to be used, that it would be a solution of this question; but by the law which the Tax Commission is undertaking to apply, this matter is taken out of the hands of the local assessors and local people who know the value of timber, and with the enforcement of a bad law which should not be on the statute books and which is grounded in the Constitution, the State officers and not the local assessors are taking the responsibility of fixing the taxes in the towns. It seems to me that the town and not the State officials should fix the tax rate. I am sure that every one of you who has been an assessor or who is an assessor will agree that this is purely a local function, and you will all agree with me that there has been necessarily an effort on the part of the Tax Commission to enforce the law, and the present law is forcing the matter out of your hands as local men and into the hands of a central body of men. I warn you against the further extension of that system, and I believe profoundly with the gentleman who just spoke, that if the law isn't obeyed in Coös County and the gray matter of its men is used for its own local taxation, then it would be perfectly right to go ahead, but unfortunately the law and the Tax Commission who are seeking to enforce the law think otherwise, and so this local gray matter is not permitted free use.

Gentleman, I want to warn you also against the supposition that the present prices may continue. It has been suggested that for airplane stock \$120 a thousand is being offered by the government of the United States. That is correct, but don't

think it will last. It is due to nothing more than a sudden need for airplane stock on American soil; and if your Tax Commission, acting through your local assessors, are able to enforce the law, you will have to pay taxes on \$120 a thousand for all your standing spruce timber, and then you will act pretty quickly.

Something has been said about the circulars that have been distributed. All of these I hold in my hand. One of them has been printed by the State Forestry Commission and bears their name; the other is by the Professor of Forestry at the State College and has been printed by the State College; and the other has been printed by a body of men, a general Committee on Taxation, which includes several noted men, Professor Sanborn, Mr. Caldwell, Governor Bass, Governor Spaulding and others, and it cost about ten dollars and postage of about \$4.36 to send them out. Please don't let such things as circulars weigh on your minds in deciding a question of great importance to the State of New Hampshire. Personally, I believe that the farmers have not sufficiently examined these questions, which concern them more vitally than they know.

Mr. Brennan of Peterborough moved to amend the motion of Mr. Hutchins of Stratford by striking out the word "not."

Question being on the motion of Mr. Brennan of Peterborough to amend the motion of Mr. Hutchins of Stratford, —

*Mr. Brown of Manchester.* — Mr. Chairman and Gentlemen, I have no desire to discuss the subject before the committee at any length or at all, but it has been suggested to me privately that because I happen to be a member of the Tax Commission I should make some remarks in regard to it.

I am not opposed to the proper classification of timber lands. My position in that regard is stated with some fullness in the 1917 report of the Tax Commission. Those who think my opinion is of the slightest consequence can look at that report.

We have had classification in this State. Up to the spring of 1912 we had a classification of timber lands, an illegal one to be sure, but one under which timber was scarcely taxed at all and when at all but lightly. Yet the forests were not preserved. Lumber went out of the State and went rapidly.

Go up into the mountains, up to the city of Berlin, and look about you there. You will see the mountain sides are bare of growth. They have been cut over; they have been burned over; the soil has been washed entirely off the rocks, so that in a thousand years trees will not grow there again. That was all done when standing timber in New Hampshire was practically tax free. Most of the destructive lumbering was done before the timber lands were taxed to any considerable extent, for it has only been since the Tax Commission assumed authority in this particular, six years ago, that any attempt has been made to assess such property at anything like its true value.

There are in this State nineteen unincorporated places. The gentleman from Stratford, Mr. Hutchins, has referred to them. In these places there is no local tax. The only assessment is that of the State and County tax, so that the timber standing there is assessed very lightly indeed. In the last year before the Tax Commission began its work, the tax in the unincorporated places amounted to only three and seventy-nine one-hundredths mills on the dollar, whereas in the surrounding towns as a whole it amounted to twenty-three mills on the dollar. According to the experts, only one thing could happen; the surrounding towns where the tax was relatively high would be stripped of lumber, and in the unincorporated places where the tax was relatively low, the timber would be left to grow. What was the result? The cutting in the unincorporated places was quite as hard and close as in the neighboring towns. It certainly was not the tax there that caused the lumber to be removed. Indeed in the unincorporated places, until a year ago, the tax was never so much as four cents an acre, because there was no local assessment whatever. I think this argument is difficult to answer —

*Mr. Ayres of Franconia.* — I wish you would let me answer it.

*Mr. Brown of Manchester.* — I do not yield to Mr. Ayres at the present time; at a later time he may answer if he can.

Take the pine regions of the State. Have the taxes operated to any great extent to reduce the growth? That growth has been, in my judgment, reduced considerably, though the acreage has been largely increased. Whether in the future the volume will be further decreased is a question. If you have any doubt as to the amount of pine that is growing in southern New Hampshire, when you go home by automobile, as many of you will, look the country over from every hilltop and in every direction, and see what there is. There is still a wonderful supply.

Has not the portable sawmill done incalculable damage in the

pine regions? I ask you, gentlemen, about that. The portable saw mill is erected in the middle of the lot and in that way the necessity of drawing the logs any distance is obviated. The result is that the small growth can be drawn to the mill at slight cost and sawed out at a profit. Every tree that will make a "two by two" piece of sawed lumber is cut. The mill men take a stick no more than four inches through and saw it up because there is a little profit in it, the tree being near the mill. If the growth had to be drawn away to a mill somewhere else it would not be cut so closely. It may be that in some cases the taxes assessed upon timber have caused the owners to sell it. I do not doubt this has been true in some cases, but it has not in many. The portable mill has reduced the pine.

It appears that Professor Foster made an examination of certain timber lands in this State in 1907. In 1913 he went over the same ground again or a part of it to see, if he could, the effect of taxation upon the growth, whether it had caused its removal or not. Now the Tax Commission did not begin work upon valuations, and taxes were not increased at all until the spring of 1912. Of course it was impossible to do much the first year. Therefore Professor Foster's observation, as he stated it, was, of a period principally under the old system when timber was not taxed much anyway, and was never taxed at full value.

What has caused timber to be removed? Latterly the price has been the great inducement. Fifteen years ago soft wood stumpage in this State was worth about four dollars per thousand feet. Today it is worth in the neighborhood of fifteen. And do you not think, gentlemen, that property that has enjoyed such a rise in value in the last fifteen years, an increase of between three hundred and four hundred per cent, can afford for a few years more to pay taxes upon a full valuation? It would seem so to me, and I think that this fall when this amendment is submitted, if it passes here, the people of New Hampshire will feel the same way.

What are you going to do to replace the \$1,200,000 that classification on the basis desired by its advocates will take out of the revenues of this State? Where are you going to get that sum?

I can tell you how classification will affect the farmer. All farms, speaking by and large, have woodlots. To classify these lots for taxation at a lower rate than the rest of the farm property will not affect the appropriations the voters make in the town meetings a bit. There will be just as much money to raise as before; there will be more money to raise, because as everybody knows we are entering a period of very heavy

public expenditures, such expenditures as we never dreamed of before. Upon what are the increased taxes to be levied if you leave the woodlots out in whole or in part? If you leave the woodlots out the farmer has got to pay just as much tax but it will be levied on the rest of his property, that is all. The man who owns woodland principally will be a big gainer by the arrangement, but the man who owns other property principally will be a big loser.

I think it is absolutely true of New Hampshire that up to this time greater profits have been made in lumber than in any other branch of business. Every town has men who have become rich in this trade. And I think we ought to go slow about exempting trees especially while present prices and present profits hold. Now you can figure in various ways about this matter of profit or loss in the growing of timber. You can talk about two per cent, as the gentleman from Franconia has today, and all that, but the more correct method in my judgment, is to take the money that a lot sells for or will sell for when the timber is fit to cut, and compute the worth of it at the time the trees began to grow. If you say the land is worth \$500 an acre to begin with, then of course, you will find that the raising of timber is unprofitable. But if you take the money derived from the yield and figure backward, taking out taxes, taking out everything that should come out, including interest at 5% compounded annually as well as the actual value of the land, you will find that as a rule the growing of trees affords no slight profit. In this regard it should be remembered that the land timber grows on is not by any means the best in the State. This proposition is figured out in the article I spoke about, and which you will also find in the Bulletin of the National Tax Association for January last, and the conclusion is reached that with the financial maturity of pine fixed at forty years and that of spruce at sixty years, or that of both averaged at fifty years, the growing of soft wood timber is distinctly profitable, even if full taxes are paid; and the proposition would hold good if the maturity were placed at sixty or seventy or even eighty years, although in these cases the profit would be less.

The theorists tell us pine and spruce timber ought to stand until it is seventy or eighty years old. With present prices, it is not going to stand so long. The economic maturity of pine is generally considered to be reached in about forty years, and that of spruce twenty years later than that. We are not going to wait for a slow old growth that will reach its ultimate maturity in eighty to one hundred years, but are going to

be content with the more rapid one that ends in half that time and then makes way for a new crop.

I said to begin with that I was not opposed to a proper classification, but I am opposed to the radical reduction in forest taxes which is in substance advocated here. With such a classification as may now be had in Massachusetts and perhaps with one not quite so stringent I should be satisfied. There they have a law which permits woodlands to be classified but the owner must make application, have his land examined and if found suitable registered. Then it is permitted to be classified and taxed at a lower rate than other property, the most of the taxes to be paid when the timber is cut. There is, however, an annual land tax and a commutation tax. There are also various provisions relating to proper management of the property. What is the result? That law has been standing on the statute books for over four years, and not more than a few hundred acres in the whole Commonwealth have come in under it, and by high authority it has been declared a flat failure.

We are not going, I am sure, to permit timber owners to pay at a less rate than the owners of other property and not going to permit timber lands to be taxed at a less rate than other lands, unless there is to be some return therefor. We shall want a limit upon the size of the trees that may be cut, and we shall want a requirement in regard to reforesting and other scientific management somewhat as they have in Massachusetts. If there is going to be a concession, let it be a concession with compensation.

I am free to say that if I could have my way, I would at the proper time provide for the classification of timber lands in this State, but I would also require that trees below a certain diameter—which it is not necessary for me to fix now—should be left to stand and grow and that when trees were cut at all it should be with some sort of intelligence and when an area was stripped it should be reforested. Great harm has come from the cutting of seed trees. The portable sawmill men in the pine regions and other operators in the spruce country have stripped the land bare, until we have in this State seven hundred thousand acres of naked land that once bore magnificent forests. Nothing of value is growing there now because the men who cut the timber off also cut the seed trees and the little trees and left nothing or practically nothing behind them.

I should say wait a little before classification. Let us see what the prices for lumber are going to be. We know, every one of us, how stumpage has increased in value in the last few years. The war is stripping the forests of this country and Canada, of Ger-

many, France and Great Britain, in short of the world, and we are going to see much higher prices for lumber than we have yet seen. A little later it may be wise to classify timber lands in the way I have suggested. But it seems to me this is not the time for a change, certainly not for an unqualified reduction of forest taxes at the expense of other taxes which this amendment is intended to permit and as far as possible to effect.

I do not think it is very patriotic in the gentleman from Franconia to suggest to the members of this committee that the selectmen of the towns of the State, in violation of the law and of their oaths and in disregard of the instructions of the Tax Commission, should do the thing he desires, that is, assess woodland property for less than its full and true value. I understood that to be what he meant when he said it would be perfectly right for local men to go ahead and use their gray matter, and it was not a worthy appeal. So far as the Tax Commission is concerned, I have no defense to make. The members have gone along in their own way, enforcing the law, and they will proceed in that way until the end — I mean until their end or that of the Commission.

*Mr. Brennan of Peterborough.* — I would like to ask, Mr. Chairman, a question. He speaks of the Tax Commission. Do I understand you are unanimous or are you a minority of the Tax Commission?

*Mr. Brown of Manchester.* — We are absolutely unanimous in regard to enforcing the law; there is not a particle of difference among us in that respect.

*Mr. Brennan of Peterborough.* — Do you think the selectmen do make the valuation of timber lands on its true value?

*Mr. Brown of Manchester.* — I think they do as well as they can along that line. I think the selectmen do that very thing. There are exceptions that occasionally come to our notice.

*Mr. Brennan of Peterborough.* — May I ask you this question: if it is not very frequently the case that they adopt, contrary to the provisions of the Constitution, a valuation not in proportion to the other valuations in town? Do not you find that very frequently the case?

*Mr. Brown of Manchester.* — I do not think that is frequently the case. It is doubtless sometimes the case, but I do not think it often happens.

*Mr. Doyle of Nashua.* — Are you gentlemen of the Tax Commission content to have full power, plenty of law to insist upon a fair and full valuation on this very subject matter we are talking about, as it stands today, without this amendment or proposed amendment?

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*Mr. Brown of Manchester.*—There is plenty of law to insist upon and to compel the taxation of all taxable property at its full and true value.

*Mr. Doyle of Nashua.*—I think that is all we want and we have the right men, I guess, in office.

*Mr. Brown of Manchester.*—There is another thing this Committee might well remember. It is this: if you desire to exempt woodland property, you can do it today. If you want to make an absolute exemption of growing trees of any sort or kind, it can be done under the Constitution as it stands.

Still another thing comes to my mind in talking about the taxation of forest property. When you begin to tax it, it is nothing but sprout land and is worth three or four dollars an acre in Stratford, as Mr. Hutchins says, perhaps four or five dollars an acre in some other towns, and that is all it is taxed for. For fifteen or twenty years, there is not much growth on the land. the valuations have to be low and the taxes light although the assessments are at full value. There is nothing oppressive until the timber gets to have some size, until it is at least twenty years of age. Then for the next twenty years or until maturity, whenever that may be, the owner can afford to pay upon a full assessment.

I am owner of a little woodland myself, and being a non-resident of the town where it is situated, I do not believe I escape anything in taxes. I am glad to pay full taxes assessed on the full and true value of the property. I hope the selectmen will continue to tax it in that way, and I do not think they need any suggestions in that regard.

*Mr. Tyng of Ashland.*—Mr. President and Gentleman, this is a Constitutional Convention. The subject before us is the powers of the Legislature. We have had a long discussion on this timber question, and all of us want to be enlightened, and some of us have found enlightenment very difficult. There are arguments on both sides, and they make no particular appeal to us who do not know anything at all about the lumber business. It is a question of giving to the Legislature of New Hampshire the power which nearly every Legislature in every Country and every State has, that is, the power of taxing lumber, which, owing to certain things, has prevented the Legislature from acting directly in regard to it. If that can be done, very good and well. The whole general question is, Should further authority be given to the Legislature in the matter of taxation? Now it seems to me we are incompetent to pass upon the questions that have been brought before us today. We have gone out of our way, and it seems to me, whether I follow the arguments

of one side or the arguments of the other side, the inevitable result is that we must go to the Legislature, to whom belongs the power to deal with the question.

*Mr. Ayres of Franconia.*—Is it the pleasure of the Convention that I should have a minute? I don't want to impose upon the Convention except to show why timber in the North Country is cut off in the manner in which it is. The gentleman who is Chairman of the Tax Commission and President of this body, for whom we all have great respect, has said that the timber in the northern part of the State, in the unorganized towns, where the taxes are low, is sometimes cut off more than it is in the organized towns where the taxes are high and the timber isn't cut off. Gentlemen, I must ask you to bear this simple fact in mind; that there was by the census figures of 1900, which are the last we have on this subject, twenty-nine million dollars invested in the pulp and paper business in Northern New Hampshire alone, and in New England it was one hundred and forty million dollars. This enormous industry depends upon the spruce of Northern Maine, New Hampshire and Vermont in large degree. These figures have been very much enlarged at this time, there being probably two hundred million dollars investment dependent upon the timber in Northern New Hampshire, Maine and Vermont. Probably sixty million dollars is invested in the paper and pulp business, including the timber lands in Northern New Hampshire. The owners must keep their mills in operation, and taxes become a secondary consideration. The owners cut where their business dictates.

*Mr. Schoolcraft of Dorchester.*—Are the timber interests driving for a lower or higher rate of taxation?

*Mr. Ayres of Franconia.*—I don't know. It was reported here yesterday by one of the large interests that they do not care whether it is settled one way or the other. I believe this is the attitude of all the people from the northern country. This is a matter that primarily concerns four-fifths of our people in the southern part of the State and only one-fifth in the northern part. In the north, they employ their men and cut where it is the most convenient for their large business, irrespective of whether the taxes are high or low. In the southern part, it is an entirely different situation, and I submit to you, gentlemen, if four times sixty million dollars were invested in pine interests in the southern part of New Hampshire the tax question would be settled. The reason why the tax situation is different in the northern part of the State from that in the southern part is because there are sixty million dollars invested in the pulp and paper interest in the north.

*Mr. Hoyt of Hanover.*—I would like to ask the gentleman a question. Would he consider today a large majority of the farmers and mechanics are in favor of this change? Would he be willing to leave it to the farmers to decide this question?

*Mr. Ayres of Franconia.*—Mr. Hoyt asks me if I think the farmer and mechanic is in favor of the change which I advocate and if I would be willing to leave this question to the farmers to decide. I would say, so far as the mechanic is concerned, I don't think he has thought about it, and I am sure the farmer hasn't thought of it as he should and he hasn't seen the interest to himself as clearly as he should. I am aware that they have not favored this amendment, but again I believe it is because they have not given the subject full attention. I had the pleasure of submitting a brief article to the National Tax Association, reprinted from their Bulletin. Its title is "Forest Taxation and the Farmer," and I have said here why the farmer is worse off if the timber is taken away as a source of taxation. Copies will be sent to you. The farmer should encourage everything that ought to be taxed; he should encourage the taxation of intangibles; he should encourage the proper taxation of timber, for if the timber is swept off the burden comes back on him. You cannot escape that argument.

On a *viva voce* vote the motion of Mr. Brennan of Peterborough, to amend the motion of Mr. Hutchins of Stratford, did not prevail.

Mr. Ayres of Franconia called for a division.

*Mr. Page of Portsmouth.*—Will the Chair state the question?

*The Chairman.*—For the information of the Committee I will state the question: the question is upon the motion of the gentleman from Peterborough, Mr. Brennan, which is to strike out the word "not" in the motion made by the gentleman from Stratford, Mr. Hutchins, so that the motion, as amended, will read, "that this Committee do now rise and report the resolution with the recommendation that it be agreed to."

*Mr. Emerson of Milford.*—Am I right in understanding that those who believe the Legislature should have power to fix the value of lumber for taxation should vote yes on this motion?

*The Chairman.*—The gentleman is correct in his understanding.

A division being had 122 gentlemen voted in the affirmative and 159 gentlemen voted in the negative and the motion of Mr. Brennan of Peterborough did not prevail.

Question being on the motion of Mr. Hutchins of Stratford,—

On a *viva voce* vote the motion of Mr. Hutchins of Stratford prevailed.

IN CONVENTION.

(The President in the Chair.)

Mr. Snow of Rochester, for the Committee of the Whole to whom was referred Resolution No. 1, Relating to the Taxation of Growing Wood and Timber, having considered the same, report the resolution with the recommendation that it be not agreed to by the Convention.

On a *viva voce* vote the report of the Committee was accepted and the recommendation adopted.

On motion of Mr. Quimby of Concord, the following resolution was adopted:

*Resolved*, That the appointment of Frank L. Aldrich of Manchester as messenger be vacated and M. J. Diamond of Danville be appointed messenger of this Convention.

Mr. Lyford of Concord moved that the Convention do now adjourn.

Mr. Lyford of Concord withdrew his motion.

Mr. Streeter of Concord moved to amend the Rules of the Convention as follows:

Amend Rule 6 by adding after the words "day certain" the words, "fourth, to indefinitely postpone," and strike out the word, "fourth," and the word, "fifth," and insert in place thereof the words "fifth" and "sixth" respectively, so that the same as amended shall read:

6. When any question is under debate no motion shall be received, but, first, to adjourn; second, to lay on the table; third, to postpone to a day certain; fourth, to indefinitely postpone; fifth, to commit; sixth, to amend — which several motions shall take precedence in the order in which they are arranged. Motions to adjourn and lay on the table shall be decided without debate.

Also amend Rule 11, by adding thereto the words "and the rule relating to the motion to indefinitely postpone," so that the same shall read as follows:

11. The Convention may resolve itself into a Committee of the Whole at any time on the motion of a member; and in forming a Committee of the Whole, the President shall leave the chair and appoint a chairman to preside in Committee; and the rules of proceeding in Convention shall be observed in Committee of the Whole, except the rule limiting the times of speaking, the rule relating to calls for the yeas and nays, and the rule relating to the motion to indefinitely postpone.

Mr. Streeter withdrew his motion to amend the rules as above.

Mr. Cobleigh of Nashua offered the following resolution:

*Resolved*, That this Convention take up, consider and dispose of amendments proposing changes in the Constitution relating to taxation; that all other amendments proposed be printed and lie upon the table unless the Convention shall

order the same referred to some Committee; and then be it further

*Resolved*, That this Convention take a recess until December 3, 1918, at eleven o'clock in the forenoon, at which time the proposed amendments may be taken up and considered and such others as may be presented under the rules.

Question being on the resolution of Mr. Cobleigh of Nashua,—

*Mr. Lyford of Concord*.—This thrashes out a question, in a measure, which I supposed we settled yesterday afternoon, and in view of the fact that this is not a full Convention at the present time, I suggest that the resolution be laid upon the table.

On motion of Mr. Lyford of Concord, the resolution of Mr. Colbeigh of Nashua was laid on the table.

Mr. Woodbury of Woodstock moved that the rules be so far suspended that Resolution No. 2, Relating to the Powers of the General Court, be taken from the table and made a special order for Friday morning, June 7, at 10.05 o'clock.

Question being on the motion of Mr. Woodbury of Woodstock,—

*Mr. Lyford of Concord*.—Mr. President, let me ask the gentleman a question: it is your desire, is it not, in making that a special order, not to consider it in the Convention but to consider it in the Committee of the Whole?

*Mr. Woodbury of Woodstock*.—Yes.

*President*.—Permit me to suggest that Resolution No. 2 is the next resolution in order for consideration.

Mr. Woodbury of Woodstock withdrew his motion.

Mr. Bates of Exeter moved that when the Convention adjourns today it adjourn to meet at nine o'clock tomorrow morning.

*Mr. Page of Portsmouth.* — I would like to inquire if there is not a rule?

*The President.* — A resolution was adopted yesterday fixing the hour of meeting, but that can be changed.

Mr. Bates of Exeter withdrew his motion.

On motion of Mr. Hoyt of Hanover the Convention adjourned.

#### AFTERNOON SESSION.

The Convention met at two o'clock according to adjournment.

On motion of Mr. Emerson of Milford, the Convention adjourned at 4.22 o'clock.

FRIDAY, June 7, 1918.

The Convention met at ten o'clock according to adjournment.

Prayer was offered by the Chaplain, Rev. Archibald Black of Concord.

The reading of the Journal having begun,—

On motion of Mr. Lyford of Concord the rules were so far suspended that the further reading was dispensed with.

Mr. Trickey of Tilton introduced the following resolution:

#### RESOLUTION No. 14.

Relating to Bill of Rights.

*Resolved,* That Article 6 of the Bill of Rights of the Constitution be amended by striking out in lines one and two of the

first paragraph the words "rightly grounded on evangelical principles," and in line thirteen of the same paragraph the word "Protestant," so that as amended the said Article 6 shall read as follows:

ART. 6. As morality and piety will give the best and greatest security to government, and will lay in the hearts of men the strongest obligations to due subjection, and as the knowledge of these is most likely to be propagated through a society by the institution of the public worship of the Deity and of public instruction in morality and religion, therefore, to promote these important purposes, the people of this State have a right to empower, and do hereby fully empower, the Legislature to authorize, from time to time, the several towns, parishes, bodies corporate, or religious societies within this State to make adequate provision, at their own expense, for the support and maintenance of public teachers of piety, religion and morality. *Provided*, notwithstanding, that the several towns, parishes, bodies corporate, or religious societies shall at all times have the exclusive right of electing their own public teachers, and of contracting with them for their support and maintenance. And no person of any one particular sect or denomination shall ever be compelled to pay toward the support of the teacher or teachers of another persuasion, sect, or denomination. And every denomination of Christians, demeaning themselves quietly and as good subjects of the State, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law. And nothing herein shall be understood to affect any former contracts made for the support of the ministry; but all such contracts shall remain and be in the same State as if this Constitution had not been made.

The resolution was read, laid on the table to be printed and referred to the Committee on Bill of Rights and Executive Department.

Mr. Duncan of Jaffrey introduced the following resolution:

RESOLUTION No. 15.

Relating to the Referendum of Measures Enacted and Rejected by the General Court, and Future Mode of Amending the Constitution.

*Resolved*, That it is expedient that the Constitution be amended as follows:

After Article 5 of Part Second of the Constitution add a new article, which shall be numbered Article 6, and which shall be as follows:

ART. 6. No act or resolve enacted by the General Court shall take effect earlier than ninety days after the final adjournment of the General Court passing the same, except appropriation bills authorizing expenditures from the treasury of the State for purposes authorized by existing law, and excepting also acts or resolves declared to be emergency measures. An act or resolve declared to be an emergency measure shall include a preamble briefly setting forth the facts constituting the alleged emergency. A separate vote shall be taken on the preamble to such act or resolve by a call of the yeas and nays, and unless the preamble is adopted by a two-thirds vote of the total membership of each branch of the General Court, the act or resolve shall not be an emergency measure.

If within ninety days after the final adjournment of any General Court a referendum petition signed by not less than four thousand qualified voters of the State shall be filed with the Secretary of State against any act or resolve passed by the General Court, except as above stated, such act or resolve shall not become law, but shall be submitted to the voters of the State at the next ensuing State election. If a

majority of the votes then cast thereon is in the affirmative, such act or resolve shall become law in thirty days after such State election; but if the majority is in the negative the act or resolve shall become null and void. If a referendum petition be filed against an emergency measure, such measure shall be law until it is voted upon by the voters, and if it is then rejected by a majority of the voters voting thereon, such measure shall be thereby repealed.

The General Court may, by majority yea and nay vote in each branch, refer any act or resolve to the voters of the State, or any act or resolve affecting any locality to the voters of that locality to be voted upon at any regular or special election, as directed by such act or resolve, and such act or resolve shall become law thirty days after having been approved by a majority of the voters voting thereon; otherwise it shall be null and void.

If an act or resolve proposed in the General Court fails to be enacted by that General Court, then on petition of the number of qualified voters last above stated, and filed with the Secretary of State not less than four months previous to the next State election, said act or resolve in its original form or in such amended form proposed in the General Court as may be petitioned for by such petitioners shall be submitted to the voters at the next ensuing State election, and shall become law in thirty days after said State election if a majority of the votes cast thereon is in the affirmative; otherwise it shall not become law.

The full text of a measure submitted to vote of the people under this article of the Constitution need not be printed on the official ballots; but until otherwise provided by law the Secretary of State shall prepare the ballots in such form as to present the measure or measures concisely and intelligibly.

The veto power of the Governor shall not extend to any measures accepted by vote of the people under this article of the Constitution.

If measures determined by the Supreme Court to be conflicting shall be approved by a majority of the votes severally cast thereon, the measure receiving the highest number of affirmative votes shall become law as to all conflicting provisions.

The Secretary of State shall print and distribute to each voter in the State entitled to vote on the measures to be submitted, not less than two months previous to the time of voting, a pamphlet containing the titles of the measures to be voted upon as they will appear on the official ballot, together with the full text of the measures to be submitted; and the General Court shall enact legislation for carrying this article of the Constitution into effect; but until such legislation shall be enacted this article shall be self-executing, and the Secretary of State and all other officers shall be guided by this article and the general laws.

\* \* \* \* \*

Renumber Article 6, making it Article 7, and likewise renumber all succeeding articles of Part Second of the Constitution.

\* \* \* \* \*

Strike out Articles 97, 98, and 99, of Part Second of the Constitution as it now stands, and insert in place thereof the following:

ART. 97. The General Court may, by majority yea and nay vote of all the members elected to each branch, in Joint Convention, in two consecutive Legislatures, submit to the voters amendments to the Constitution, which shall take effect when approved by a majority of the voters voting thereon, and not otherwise.

ART. 98. Any amendment to this Constitution, proposed by petition of not less than eight thousand qualified voters of the State, and filed with the Secretary of State not less than four months previous to any State election, shall be submitted to the voters of the State at that election in the same manner as amendments proposed by the General Court, which shall take effect when approved by a majority of the voters voting thereon, and not otherwise.

ART. 99. All alterations and amendments to this Constitution shall take effect thirty days after having been approved by a majority of the voters voting thereon, and not otherwise, the Secretary of State having in the meantime canvassed the returns of the voting thereon, and having certified the results thereof, and the Governor making proclamation thereof.

The reading of the resolution having begun, —

On motion of Mr. Duncan of Jaffrey, the rules were so far suspended that the further reading of the resolution was dispensed with.

The resolution was laid on the table, to be printed, and referred to the Committee on Future Mode of Amending the Constitution and Other Proposed Amendments.

Mr. Metcalf of Concord introduced the following resolution:

RESOLUTION No. 16.

Relating to the Governor's Council.

*Resolved*, That Articles 59 to 64 inclusive of the Constitution be stricken out and all reference to the Council in any other articles be eliminated.

The resolution was read, laid on the table to be printed and referred to the Committee on Bill of Rights and Executive Department.

Mr. Abbe of Dublin introduced the following resolution:

**RESOLUTION No. 17.**

**Relating to Limitation of Taxation.**

*Resolved*, That the words "proportional and," and the word "all" twice appearing in the two lines following, be struck out in Part Second, Article 5, and at the end of the article these provisions be added: Every unmarried resident of this State, every widow or widower, who has reached the age of 55 years, and whose last annual income previous to April 1st of the current year when his property is listed for taxation, has not exceeded \$600, shall be exempt from taxation.

Every husband and wife, both of whom have reached the age of 55 years, and whose combined income for the year previous to April 1st of the current year has not exceeded \$800; shall be exempt from taxation.

No resident of this State shall be taxed to an amount to exceed 8% of his last annual income previous to April 1, unless such income has exceeded \$1000; to exceed 10%, unless such income has exceeded \$1500; to exceed 15% unless such income has exceeded \$2000; except when times of peril may demand an unusual sacrifice for the welfare of the State.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Duncan of Jaffrey introduced the following resolution:

RESOLUTION No. 18.

Relating to the General Court.

*Resolved*, That it is expedient that the Constitution be amended as follows:

Strike out Articles Two, Three, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, Twenty-eight, Twenty-nine, Thirty, Thirty-one, Thirty-two, Thirty-three, Thirty-four, Thirty-five, Thirty-six, Thirty-seven, Thirty-eight and Thirty-nine, and insert in place thereof the following:—

ART. 2. The supreme Legislative power within this State shall be vested in the General Court.

ART. 3. The General Court shall assemble semi-annually, on the first Wednesday of January and July of each year, and at such other times as they may judge necessary, and shall dissolve and be dissolved seven days next preceding the first Wednesday of January, biennially.

ART. 9. There shall be, in the General Court of this State, a representation of the people, biennially elected, and founded upon principles of equality, and in order that such representation may be as equal as circumstances will admit, the General Court shall, from time to time, divide the State into twenty districts, as nearly equal as may be without dividing wards, towns or unincorporated places; and in making such division they shall govern themselves by the number of voters in said districts, and timely make known to the inhabitants of the State the limits of each district; such districts to be known as Legislative districts.

ART. 10. From each of such Legislative districts there shall be chosen, at large, by the system of proportional voting for representation known as the "Hare Spence System," whereby each voter may cast one vote, transferable as he may indicate, five members of the General Court.

ART. 11. The members of the General Court shall be chosen biennially, in the month of November, for a term of two years.

ART. 12. Every member of the General Court shall have been an inhabitant of this State for five years, at least, preceding his election; shall be, at the time of his election, an inhabitant of the district he may be chosen to represent; and shall cease to represent such district immediately upon his ceasing to be qualified as aforesaid.

ART. 13. All intermediate vacancies in the General Court may be filled up from time to time in the same manner as biennial elections are made.

ART. 14. The General Court shall choose their own speaker, appoint their own officers, and settle their rules of proceeding, and shall be the judge of the returns, elections and qualifications of its members, as pointed out in this Constitution. They shall have authority to punish by imprisonment every person who shall be guilty of disrespect to the General Court in its presence, by any disorderly or contemptuous behavior, or by threatening or ill-treating any of its members, or by obstructing its deliberations; every person guilty of a breach of its privileges in making arrests for debt, or by assaulting any member during his attendance at any session; in assaulting or disturbing any one of its officers in the execution of any order of the General Court; in assaulting any witness or other person ordered to attend by, and during his attendance of, the General Court, or in rescuing any person

arrested by order of the General Court, knowing them to be such.

ART. 15. The Governor, and the Council shall have the same powers in like cases, *provided*, that no imprisonment by either for any offense exceed ten days.

ART. 16. No member of the General Court shall be arrested or held to bail on mesne process during his going to, returning from, or attendance upon, the General Court.

ART. 17. A majority of the members of the General Court shall be a quorum for doing business, but when less than two-thirds of the members elected shall be present, the assent of two-thirds of those present shall be necessary to render their acts and proceedings valid.

ART. 18. The General Court shall have power to adjourn itself from time to time, as it sees fit.

ART. 19. The presiding officer of the General Court shall receive out of the State Treasury as compensation in full for his services, for the term elected, the sum of one thousand dollars; and all other members thereof seasonably attending and not departing without license, the sum of eight hundred dollars.

ART. 20. The journals of the proceedings of the General Court and all public acts shall be printed and published immediately after any adjournment or prorogation, and upon motion made by any one member, the yeas and nays upon any question shall be entered upon the journal and any member of the General Court shall have a right, on motion made at the time for that purpose, to have his protest or dissent, with the reasons, against any vote, resolve, or bill passed, entered on the journal.

ART. 21. Every male inhabitant of each town and parish with town privileges, and places unincorporated, in this State, of twenty-one years of age and upward, excepting paupers and persons excused from paying taxes at their own request, shall have a right, at the biennial or other meetings of the inhabitants of said towns and parishes, to be duly warned and holden, biennially, forever, in the month of November, to vote, in the town or parish wherein he dwells, for a member of the General Court.

ART. 22. And every person qualified as the Constitution provides, shall be considered an inhabitant, for the purpose of electing and being elected into any office or place within this State, in the town, plantation or parish where he dwelleth and hath his home.

ART. 23. And the inhabitants of plantations and places unincorporated, qualified as this Constitution provides, who are or shall be required to assess taxes upon themselves towards the support of government, or shall be taxed therefor, shall have the same privilege of voting for members of the General Court, as the inhabitants of the respective towns and parishes aforesaid have. And the meetings of such plantations and places, for that purpose, shall be holden biennially in the month of November, at such places respectively therein as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns by this Constitution.

ART. 24. The General Court shall be the grand inquest of the State, and all impeachments made by them shall be heard and tried by the Supreme Court.

ART. 25. The Supreme Court shall have full power and authority to hear, try and determine all impeachments made by the General Court against any officer or officers of the State,

for bribery, corruption, malpractice, or maladministration in office, with full power to issue summons or compulsory process for convening witness before them. And every officer impeached for bribery, corruption, malpractice, or maladministration in office shall be served with an attested copy of the impeachment and order of the Supreme Court thereon, with such citation as the said Supreme Court may direct, setting forth the time and place of their sitting to try the impeachment; which service shall be made by the sheriff or such other sworn officer as the Supreme Court may appoint, at least fourteen days previous to the time of trial; and such citation being duly served and returned, the Supreme Court may proceed in the hearing of the impeachment, giving the person impeached, if he shall appear, full liberty of producing witness and proofs and of making his defence by himself and counsel; and may also, upon his refusing or neglecting to appear, hear the proofs in support of the impeachment, and render judgment thereon, his non-appearance notwithstanding; and such judgment shall have the same force and effect as if the person impeached had appeared and pleaded in the trial.

ART. 26. Their judgment, however, shall not extend further than removal from office, disqualification to hold or enjoy any place of trust, honor or profit under this State; but the party so convicted shall, nevertheless, be liable to indictment, judgment and punishment, according to the laws of the land.

Renumber Article 40, making it Article 27, and likewise renumber all succeeding articles.

The reading of the resolution having begun,—

On motion of Mr. Duncan of Jaffrey, the rules were so far suspended that the further reading of the resolution was dispensed with.

The resolution was laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Hoyt of Hanover moved that the rules be so far suspended that the further reading of resolutions be dispensed with.

On a *viva voce* vote the negative prevailed.

Mr. Childs of Henniker introduced the following resolution:

RESOLUTION No. 19.

Relating to Representation in the House of Representatives.

*Resolved*, Amend Art. 9, Part Second, of the Constitution by striking out all of said article after the words "as equal as circumstances will admit," in the fourth line, and inserting the following: "the Legislature shall, from time to time, divide the State into one hundred districts as nearly equal as may be without dividing towns, wards and unincorporated places, and in making this division they shall govern themselves by the number of legal voters in said districts, and each such district shall be entitled to one representative." Also strike out Article 10 of the said Part Second.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

Mr. Upton of Bow introduced the following resolution:

## RESOLUTION No. 20.

Relating to Conferring upon the General Court the Power to Impose and Levy Reasonable Assessments, Rates and Taxes and to Classify the Subject of Taxation.

*Resolved*, That Part two, Article five of the Constitution be amended by striking out the words "proportional and" and the words "upon all the inhabitants of, and residents within, the said State, and upon all estates within the same" so that as amended said Article shall read:

ART. 5. And, further, full power and authority are hereby given and granted to the said General Court, from time to time, to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties or without, so as the same be not repugnant or contrary to this Constitution, as they may judge for the benefit and welfare of this State and for the governing and ordering thereof and of the subjects of the same, for the necessary support and defense of the government thereof; and to name and settle biennially, or provide by fixed laws for the naming and settling all civil officers within this State, such officers excepted the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits of the several civil and military officers of this State, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this Constitution; and, also, to impose fines, mulcts, imprisonments, and other punishments; and to impose and levy reasonable assessments, rates, and taxes, to be issued and disposed of by warrant under the hand of the Governor of this State for the time being, with the advice and consent of the Council, for the public service, in the necessary defense and support of the government of this

State and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same. *Provided*, that the General Court shall not authorize any town to loan or give its money or credit, directly or indirectly, for the benefit of any corporation having for its object a dividend of profits, or in any way aid the same by taking its stock or bonds.

*Resolved, further*, that Part II, Article 6, be amended by striking out the whole of said Article and by inserting in place thereof the following:

ART. 6. The public charges of government, or any part thereof, may be raised by taxation. The subjects of taxation may be divided according to their kind or value into classes differently taxed. Taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax.

The resolution was read, laid on the table to be printed and referred to the Committee on Legislative Department.

#### ANNOUNCEMENT OF COMMITTEES.

The President announced the following standing committees:

On Bill of Rights and Executive Department.

Streeter of Concord.  
Hall of Dover.  
Buxton of Boscawen.  
Cavanaugh of Manchester.  
Pattee of Manchester.  
Gaffney of Nashua.  
Jacobs of Lancaster.  
Bartlett of Hanover.

Bowker of Whitefield.  
Howard of Portsmouth.  
Towne of Franklin.  
Charron of Claremont.  
Meader of Rochester.  
Norwood of Keene.  
Clement of Warren.  
Frost of Fremont.  
Towle of Northwood.  
Bartlett of Pittsfield.  
Goulding of Conway.  
Tilton of Laconia.

On Legislative Department.

Lyford of Concord.  
Amey of Lancaster.  
Snow of Rochester.  
Barton of Newport.  
Doyle of Nashua.  
Scammon of Exeter.  
Brennan of Peterborough.  
Spaulding of Manchester.  
Watson of Keene.  
McAllister (Geo. I.) of Manchester.  
Hale of Laconia.  
Evans of Gorham.  
Wright of Sanbornton.  
Brown of Berlin.  
Duffy of Franklin.  
Eastman of Portsmouth.  
Butler of Haverhill.  
Haslet of Hillsborough.  
Hutchins of Stratford.  
Foote of Wakefield.

**On Judicial Department.**

Plummer of Laconia.  
Howe of Concord.  
Demond of Concord.  
Upton of Bow.  
Hamblett of Nashua.  
Belanger of Manchester.  
Prescott of Milford.  
Colby of Claremont.  
Madden of Keene.  
Donigan of Newbury.  
Aldrich of Northumberland.  
Woodbury of Salem.  
Lewis of Amherst.  
Pettee of Durham.  
Smith of Haverhill.  
Doe of Somersworth.  
Sise of Portsmouth.  
Baker of Hillsborough.  
Hodges of Franklin.  
Chandler of Chatham.

**On Future Mode of Amending the Constitution and Other Proposed Amendments.**

Stone of Andover.  
Page of Portsmouth.  
Wallace of Canaan.  
Walker of Grantham.  
Varney of Rochester.  
Bartlett of Derry.  
Lawrence of Haverhill.  
Jones of Lebanon.  
Craig of Marlow.  
Emerson of Milford.  
Hull of Bedford.

Rogers of Pembroke.  
Morrison of Peterborough.  
Young of Easton.  
Shirley of Conway.  
Ripley of Stewartstown.  
Farrell of Manchester.  
Hodgman of Merrimack.  
Schellenberg of Manchester.  
Spring of Laconia.

On Time and Mode of Submitting to the People **Amendments**  
Agreed to by the Convention.

Pillsbury of Londonderry.  
Wilson of Manchester.  
Wentworth of Plymouth.  
Keyes of Milford.  
Chase (L. J.) of Concord.  
Callahan of Keene.  
Duncan of Jaffrey.  
Hoyt of Sandwich.  
Beede of Meredith.  
Curtis of Berlin.  
Morse of Littleton.  
Dow of Manchester.  
Angell of Derry.  
Farmer of Hampton Falls.  
Hayden of Hollis.  
Duncan of Hancock.  
Foster of Waterville.  
**Parsons of Somersworth.**  
Beaman of Cornish.  
Bunton of Manchester.

## On Elections.

Shurtleff of Lancaster.  
Brown of Concord.  
Rollins of Alton.  
Wetherell of Exeter.  
Ayres of Franconia.  
Huntress of Keene.  
Stanley of Lincoln.  
Roy of Manchester.  
Chapman of Manchester.  
Bergquist of Berlin.  
Hallinan of Nashua.  
Towle of Newmarket.  
Deschenes of Manchester.  
Young of Rochester.  
Glancy of Manchester.  
Schenck of Tamworth.  
Rice of Rindge.  
Sayers of Manchester.  
Davis of Croydon.  
Smart of Bennington.

Mr. Duncan of Jaffrey moved that the Convention resolve itself into Committee of the Whole for the purpose of considering Resolution No. 2, Relating to the Powers of the General Court and Resolution No. 5, Relating to Taxation.

Question being on the resolution of Mr. Duncan of Jaffrey,—

*Mr. Kenison of Ossipee.*—Mr. President and Gentlemen of the Convention, it has occurred to me that among the members of this Convention are a goodly number of farmers and others directly or indirectly interested in agricultural and industrial enterprises. It is also apparent that there are many amendments here which somebody wants to have a hearing on. This is a time when these people who are engaged in that kind of work cannot be too busy. Also, another and to my mind a

more important condition exists, for as every man doing business today knows, the conditions are constantly changing, so that any action upon so permanent an institution as our Constitution cannot be intelligently taken at this time.

Mr. Kenison of Ossipee offered the following resolution:

WHEREAS, The United States of America is engaged in the great international conflict now on, in which the citizens of New Hampshire are doing their full share, and because of the fact of this great war, conditions of all kinds are constantly changing so that the standard of yesterday is not the standard of today:

*Resolved*, That when this Convention adjourns at the morning session it adjourn to the call of a committee consisting of the President and one member from each county, such call to issue for the reconvening of this Convention within one year after the conclusion of the present war and the establishment of peace, such call to be seasonable for the submission of such proposed amendments, as may be agreed upon, at the succeeding biennial election.

Question being on the resolution of Mr. Kenison of Ossipee,—

*Mr. Brennan of Peterborough*.—I am in favor of this resolution. I am, however, not in sympathy with the idea that we ought to unduly hurry home until we give proper attention to matters for the consideration of which we were sent here; there was none of us obliged to come here, and there were probably others in our home place who would have been pleased to have taken up the duties which we pledged ourselves to perform. We were sent here to consider the matter of amending our Constitution, but I am becoming apprehensive that this Convention and the people are not in a frame of mind and are not prepared during the continuance of this terrible war—when our not-to-be-interfered-with business is fighting the enemy—to give the necessary attention to the important questions involved in these proposed resolutions. While many of the delegates wish to pro-

ceed and complete the work of the Convention, a perhaps larger number are intent on adjourning upon organization until after the war. With this uncertainty and proceeding thus far without the regular special committees, we are making little or no progress. It is a very unsatisfactory mode of procedure in the first instance, to consider these resolutions in a Committee of the Whole; it is not the most effective preliminary step for a Constitutional Convention to take. A Committee of the Whole will, without doubt, serve a useful purpose at later stages of the Convention's progress, but not now. The consideration of these resolutions, after hearings by our five special standing committees, followed by their report, is certainly helpful if not indeed an absolutely necessary preliminary step in the most intelligent and expeditious progress of the business of this Convention, and, more important still, providing practically the only place where the people, outside of these delegates, have the opportunity of appearing to express their views and to advocate or object to proposed resolutions in which they may be interested.

We have a number of resolutions here embodying similar questions: taxation of standing timber, intangibles, incomes, etc.; there are several resolutions which might be substituted, consolidated or eliminated, a work in its preliminary handling, for the special standing committees, and, until we have these committees working, our progress cannot be entirely satisfactory.

If we take these resolutions before special committees, those committees will have hearings and work upon them, and finally recommend to this Convention something to act upon. Such committees will do our preliminary work, taking steps for which a Committee of the Whole is not so well calculated. If we continue on as we are and as a preliminary step, to consider each resolution in the Committee of the Whole, our progress will be slow, halting and unsatisfactory; indeed a lot of us are really in the air now on this particular question before us. We need committee hearings, and recommendations, if we are to proceed intelligently. To remain here, if the Convention so votes is our duty; we have no right to say we must hurriedly go home and attend to our business; our business is here. I fear, however, that a majority of the delegates are intent upon adjournment and are not prepared to do business at this time, and not until we reconvene after the war. I myself would be pleased, however, before adjournment, to have a resolution adopted to give larger powers to the Legislature in the matter of taxation, but I fear this Convention is not in a mood to do anything of that kind now, and nothing other than to organize and adjourn; hence I am in favor of this motion, because I am in favor of having all the

resolutions presented and printed for our careful consideration to the end that when we come together again, we may have considered these matters and have hearings and reports by the special committees having the resolutions in charge; we will then be in much better condition than we are at present to deal with these important questions, and for these reasons I am in favor of this resolution.

*Mr. Doyle of Nashua.*—Mr. President, I would like to have you (Mr. Brennan) President of the United States; you are big enough, we all know, to be that. I came here, gentlemen, and voted to adjourn, because I had in mind that you gentlemen would have somebody in our midst who would attempt to adjourn after they got through one of their pet schemes. I am willing to consider any job, I am not a fifty-fifty fellow any way or any place. Now we voted to take up this legislation and do our duty, and gentlemen, I am here to stay with you and I hope I won't have to stay long enough to give our friend from Amherst, the ministerial gentleman, a chance to go skating on ice down below, where he suggested, because I don't want to visit that locality with him, but I am willing to stay here all summer, if necessary, to do our duty, and if we haven't got appropriation enough, I will take a chance to try to get enough to pay my own way until this work is over. I noticed we all started out, Mr. President, by speaking of the war and the boys across the water. Some of us are interested and vitally interested, not because they are our Country's but some of us are interested because our flesh and blood is across the water. I see the parents before me, some of them. Now, then, if we want to be men and do our duty at home, let's see today right here and now that we have some legislation whereby we might get a revenue to take care of these boys across, and with God's help bring them back alive, if it is God's will that they be spared. Why, my distinguished friend from Peterborough says we are not in a position to legislate. Why, you will never be in a better position; you have fine committees—I am on one of these committees, Brennan, and you are with me—and I say we are capable of looking over those resolutions and making an intelligent report, and if you haven't got time today, let's take time tomorrow and you can work on Sunday, if you want to, if you go to church in the morning.

You know, probably, some of you, that I am against these resolutions. I say we ought to fight them down like men, and let's take hold of this business and do our duty like men. I heard some rumbling and grumbling, and as one fellow nearby who wants to adjourn says, "Why in hell don't somebody get up." Why, these motions, there was somebody picked out to put this

resolution through, but he failed evidently to get up. Now I say let's not fail in our duty here. We were sent here to do a duty; so let's be men and stick to it; and if we have a lot of these fellows with so much money they don't know what to do with it and we can't reach them unless we prepare our laws to make them more honest, and prepare them as our friend Mr. Lee from Concord would like to have them, let's get at these intangibles and make them show their hands and share with the farmer and the business man and every other man who has property to be taxed.

*Mr. Hutchins of Stratford.*—Mr. President, personally, I admire Jerry Doyle, but I don't think much of his consistency. Yesterday he was for adjournment, but today he isn't, and I don't know where he will be tomorrow. I will agree with one of the gentlemen who has spoken that when this Constitutional Convention was inspired, that we were not at war with Germany. We are today; and when he says our first duty is to the State of New Hampshire, I deny it. I say our first duty is with the boys over there and the government at Washington and everything else should take a back seat. If I had let a contractor to shingle my house and the contractor came to do the job, and it caught fire, would I insist that he shingle it and not put the fire out?

Not so, Mr. President. Put the fire out and if you have any house left, repair it; if you haven't, build a new one and you may want to use asbestos shingles instead of cedar. I say our first duty is to adjourn; go to our homes, work to win the war, and defeat the Germans.

*Mr. Tobey of Temple.*—Mr. President and members of the Convention, I shall be very brief in my remarks. We have come here as a body of New Hampshire citizens elected to this Convention to consider these matters that may come before us. There is room for honest differences of opinion upon this resolution for adjournment, but I want to bring one matter to your attention. I happen to be in the banking business and deal in stocks and bonds. I have some customers who have a lot of money and some who haven't so much. I am perhaps hurting my business in advocating this thing, but that does not make any difference. But I say to you if this Convention adjourns, war or no war, before it makes some provision on this subject of the taxation of intangibles, you are making a mistake, for if you pass legislation taxing these intangibles, it will bring you a new source of revenue such as you never had before, and you need it in these days, and you will then have acted wisely. Throughout this State there are men of means and capital who are not paying any taxes on hundreds of thousands of dollars, and yet the Tax

Commission urge the selectmen of the towns to tax farms at their full value. When I had the honor of being on the Board of Assessors, I received a letter from the Assessors in Boston, saying that Mr. and Mrs. So-and-So of your town claim a residence there and that they cannot be taxed here this year, and that the last year in Boston, they were taxed for \$60,000. Now upon receipt of that, I called on them, and said: "Are you going to take up a residence here?" They said that they were. Then I said: "Then it becomes my duty to ask you to fill out an inventory." They replied that they would never sign an inventory blank. I said: "Then you cannot come to New Hampshire as a citizen under the statute." I said to them, "What does your property consist of, bonds or stocks or what?" He said: "It is all stocks." I said: "You don't need to worry, then, you don't have to pay on those: all your taxes will be on this real estate which is valued at \$2,000." He asked, "We don't pay on stocks?" I said, "No, but let me show the injustice of our present system. Next door is a widow with five children whose husband died of tuberculosis last spring; they are in debt and they are burdened with taxes on that place, which the assessors are told to tax at full value, and they can't raise the money. Where is the justice?" They said, "There is no justice," and the wife turned around and drew a check for \$100, and said: "Give this to the town; I can't stand to be a party to such injustice." These conditions are everywhere, and many men with capital invested in intangibles in New Hampshire don't pay a dollar. I assure you if this resolution to adjourn without action passes today, it puts off the time when you are going to get an income from these things until after the war closes, which may be two, three, four, five or ten years. I want the State of New Hampshire and our fellowmen to get the benefit of these taxes from now on. I want to see this determined. I want to go home, also. I prefer to go home rather than to stay here. But here is the point. What is our duty in this thing? We are here today. We can sit through today, gentlemen, and consider this subject of the taxation of intangibles and general classification, and get through today, and do away with it, and get through tonight. For six months, some interests have planned to have this Convention adjourn without action. I want to say to you further, there have been some in this Convention absolutely pledged to get this thing out of the way before it is born.

Now, gentlemen, let me tell you two remarks made here this morning in conversation, when a gentleman supposed to make an amendment didn't get up, as had been expected, and one of the remarks was this: "Why in hell doesn't he jump into it?" And

the other remark was: "Why don't the damn fool get up?" I put it to you as clean men and citizens of New Hampshire, let's not back up men who use language like that to get this thing out of the way by a well-laid plan; let's put a tax on intangibles and have a revenue we never had before.

*Mr. Snow of Rochester.*—Gentlemen of the Convention, I am in favor of this motion, and I can tell you in a very few words why. First, let me say that I am not here to burn any pyrotechnics nor to get your applause. We can be easily carried off our feet by the references that have been made to the boys across the water which have nothing to do with the merits of the question under discussion. You don't hear the parents of these boys talking about them. They are for the most part silent members of this Convention. Now, gentlemen, these questions that are before this Convention are important questions. They deserve our careful consideration. They are all important. Some of them are more important than others. The disposition of this Convention, being hurried for time, has been to take them up in the order in which they appeared to us to be the most important. These questions that were presented here in the early resolutions are the questions which have been agitating the people of our State and which have been widely discussed in the papers; they are the questions to which public attention has been drawn as the most important which we are to consider; but, gentlemen, are we considering them fairly? Do you believe we gave the subject of timber taxation yesterday all the consideration that it ought to have? It was not referred to a special committee. It was discussed in the Committee of the Whole but a part of an afternoon session. Did we do right or should it have had our more extended thought and discussion? If this resolution is not adopted, and I read the sentiment here aright, we are about to go into the Committee of the Whole to take up the next most important, perhaps a more important question than that considered yesterday. What is the inevitable result, with the atmosphere prevailing in this Convention? It will be killed without fair consideration. Why? It isn't because we are not fair-minded men, gentlemen; we are fair-minded men; we want to do our duty; we want to stay on our job if it is right; but, gentlemen, we are prejudicing these measures so that when we come back here, if we do, they never will stand in a fair light with us. I say to you, gentlemen, it is not because we are not fair, but unconsciously, we are not in a state of mind to give on the first day of the Convention, but we were not then in the mood to go home. Gentlemen, if we stay here, we will waste our

time and we will waste it in the face of the national propaganda to speed the various war activities, to conserve time, to conserve energy, for the great business we have on hand. We are in the business of war, gentlemen, and we might as well face it, and these other things can wait. I beseech you, gentlemen, to apply your good common sense and consider whether we should not take this adjournment. Let me repeat to you I am heartily in favor of this resolution.

*Mr. Stone of Andover*.—The gentleman from Temple has brought before us a pathetic case: the widow, with her farm, who has to pay a heavy tax, and the stockholder with his stocks; and he beseeches this Convention to stay here and do something, so you can relieve the widow and the stockholder with his stocks. Now, gentlemen, it is within the power of the Legislature at any minute to place a tax on stocks; it is entirely unnecessary to hold a Constitutional Convention in order to tax stocks. The Legislature has the power under the Constitution to tax them; but it hasn't done so. He said he was in the banking business. I apprehend that perhaps in regard to intangibles he might mean to have the stocks and intangibles pay a small tax. Yesterday we defeated here an amendment in relation to woodlands which affected many people who owned small lots, and I don't know any reason why men who own intangibles should be asked to pay a small tax, but we won't talk about that. His argument is practically that it is necessary in order to relieve the person who has bonds and compel the person who has stocks to pay a tax upon them, and I say to you, gentlemen, that the Legislature has power to tax stocks, but they haven't done it. That argument all falls through. I do feel, as the last gentleman has said, that we cannot properly consider these questions. I doubt very much if I should call upon any man in this Convention and ask him to rise if he thought a majority of his people wanted these things considered at the present time, I doubt if there is a man in this Convention who would want to rise and go home to his constituents and say a majority of them were in favor.

*Mr. Lee of Concord*.—I would like to ask the gentleman a question. You confine your subject altogether to stocks. There are notes and some stocks that are taxable anyway, but I would like to know how is the assessor or selectman to know and get hold of a person having bonds and money on hand?

*Mr. Stone of Andover*.—The argument of the gentleman is this: because a man who has money, who has stocks and bonds, will do everything to evade taxation and commit perjury, he wants to reach him so he won't escape taxation only in part.

*Mr. Lee of Concord.*—Mr. Speaker, I cannot agree with the gentleman. What I now say I said in a few words a couple of days ago, and I will repeat it. I think the people should have an opportunity to determine this important question. It makes no difference to me one way or the other, because I have no bonds, and I have no stock; but, gentlemen, two or three or four years ago this coming fall, the Tax Commissioners went to the expense of getting a man from Harvard College to come here and discuss the question of taxation in regard to collaterals. If I remember right he was a professor from that college, and he had made a study of the taxation of intangibles. We spent two or three evenings here from eight o'clock until twelve or one o'clock in this hall. Nearly every one of the Representatives were here, and many other people—it was open to the public. This same question was discussed, and all he was brought here for was to see if he could tell us of some just way to get these people who had their money invested in bonds and collaterals to pay an honest tax. Now, gentlemen, you are able to say whether you want to do it or not; and I ask any of you to ask any of your selectmen or any of your assessors in your city, and they will tell you that if you want to go to work and make a just tax for these people who are living now on their incomes from bonds and money on hand, that these people would be willing to pay their just dues in taxes, but as long as you have the tax the way it is—for instance, say that your tax is two per cent in your city or town—a person who has a three and a half per cent bond, paying two per cent of that for taxes, would have to have \$100,000 to get an income of \$1200. Gentlemen, just stop to think it of it, is that right? I am a great believer in people not being persecuted. My father and mother came from a country where they were persecuted by taxation, and it will never be said that I went to work against them, but I want to do by others as I would have others do by me. I believe in equal taxation; it is just and right, no matter whether a person has his money invested in collaterals, bonds or real estate or stock in trade or stocks. I tell you, gentlemen, look at this thing in the right light; study it and see if it is right. These men, the Commissioners, if I remember right, went to work and told the Committee on Ways and Means that they figured it out that one-fourth per cent would be a just tax on collaterals. If I am not speaking the truth, I want the President of this Convention to tell me; he was one of the Commission. We went to work together, and after we got through we admitted that we thought about three-fourths per cent was a just tax for these people to pay. Now, gentlemen, perhaps some of you understand what I

mean. For instance, say our tax rate is two per cent; that would be \$20 on a thousand to pay on real estate, stock in trade or anything of that kind; but if you pay three-fourths of one per cent on collaterals, you pay only \$7.50; that gives them the other three per cent or the two and one-half per cent to live on. Look at it in the right light, gentlemen. You can't tell me the people are not honest in this Country and in this State. I tell you ninety-nine per cent are honest; but you are driving them to be dishonest; they are going to look after their own bread and butter first; and you cannot blame them. That is the way you want to look at this tax proposition. If you go to work and make your tax rate a flat rate, the same as you make a poll tax a flat rate, and call your tax rate on intangibles three-fourths per cent, I venture to say your town and city will receive money from these people that you are losing now. Look at Massachusetts, and look at the other States where it has been worked out. They tell us they get more than twenty times enough to pay for what they have done. Now, I tell you, gentlemen, you want to look at this in the right light. Let us not be slackers. I do not want to use that word slacker because I don't believe any man in this Convention is a slacker; I believe every man came here to do his just duty, and if you want to go home today or tomorrow, gentlemen, I am with you. It makes no difference to me. It is for you; it is for you, laboring men; it for you, farmers; it is for you, business men, who have to pay taxes on your farms, and stock in trade, and things of that kind. The poll-tax payer might say it makes no difference to him, but it does make a difference to him. The farmer might say the same thing. Why, don't you see, the more taxes I have to pay on my real estate or my stock in trade makes you pay the difference, and perhaps instead of making you pay your just due, I am taking ten fold out of you, just as the gentleman said the other day about the lumber. You heard the gentleman suggest he didn't care what the taxes were. Why? Because he represented one of the largest concerns in New Hampshire. Why doesn't he care? Because you will go and buy it, if you want to build your little home or farm or anything of the kind; he makes a profit all right, and you are the one paying the bills. He doesn't lose. Gentlemen, it makes no difference to me whether you pass this resolution or not, or let it go by, but I want you to remember that it would be one of the greatest things ever done for the tax payers in general, in this State.

*Mr. Angell of Derry.*—Mr. President and Gentlemen, I want to do my duty as a delegate to this Convention, just the same as I trust and am confident each one of you wishes to do. Now it

seems to me that the question before us is on whether we shall stay here or whether we shall go. It is not the question at this present time, in my opinion, to adopt the resolutions that have been put in or that may be put in, but whether or not we should stay or go. Now I am with you on the point of duty, and I would like to have you tell me why we can serve our State and our Country better if we go home. I would like to have you tell me how we can do these same things better if we stay. This Constitution, if I understand it, was born in war time, when the Revolutionary War was engaging our utmost energies, and what is the matter with us today—a nation many times larger and stronger than the colonies? We ought to stay here and do our duty, if it is necessary; but why can we save the Country better by going than by staying; how can we help win this war better by going than by staying? What are you going to do after you get home?

*Mr. Cobleigh of Nashua.*—Just one suggestion. I am sure that the delegates who are present here honestly want to do their duty. There isn't any question about that, or that you reflect in a large measure the sentiment of your particular community, and, I suggest to you this: those of you who are urging us to remain here and consider these various propositions in which you are interested and you would like to see incorporated into the organic law, or changes made in it, that there is no way under Heaven that you can so effectually defeat them as to force this Convention to stay here. For if you do, and submit amendments to the people, they will be turned down just as sure as there is a God in Heaven, by the average person at the next election, with the present temper of the people of New Hampshire.

*Mr. Woodbury of Woodstock.*—There are no slackers in this Convention, and I hope there are no fools in it. I rise to explain my position. I am not going to make any extended remarks, but I simply want it understood just how I stand. I came to this Convention with the supposition that the people in this State, when they voted for this Convention, were looking for some sort of relief along the line of revising our Constitution in the matter of taxation. When the Convention was voted upon, war had not been declared between this Country and Germany. Now conditions have changed. We don't know just what conditions may develop, but we are all satisfied that there are some changes that should be made when the proper time comes, when we can deliberate upon them fairly and squarely. I came to the Convention believing that we should do something, whereby our Legislature would be given more power in the matter of taxation. I have not got cold feet. I am not linked up with any organization or any ring, in this matter. The position I am taking today

is that I want to save something for this Convention to consider later. I have been a member of a Constitutional Convention before. I have been a member of two Legislatures; and when important measures are taken up and killed, it is a pretty hard matter to reconsider them and give them a fair hearing. Now we have some important matters pending in this Convention, and we are not in a mood to consider them fairly and justly, at this time. My idea in favoring a motion to adjourn, to which I am going to offer an amendment to the motion already made, is to save these important questions and not let our Convention die out so that we cannot come back here at some future time, either before or after the close of this war, and consider them fairly, when we are in a different mood than we are at the present time. Now, the men in this Convention all want to be fair. There isn't a member of it but wants to be fair, and it is my honest opinion that we should not attempt to go before the people with an amendment that just simply gets through this Convention, with a strong minority against it. We must have some amendments to submit to the people that passed by a large majority, and it would be better if the Convention was unanimous in the adoption of these amendments, than to have some amendments that go through with a strong minority, that will go home and work against them. We want to work more understandingly and not with this heavy load and strain upon us that we have at the present time. I am perfectly willing to stay here until this thing is settled, if the Convention so votes, but with the temper of the Convention as it is, I don't think we are in a position to do anything. I hope if this resolution to adjourn is adopted that no further consideration of these important measures will be taken until after the Convention reconvenes.

Mr. Woodbury of Woodstock offered the following amendment to the resolution of Mr. Kenison of Ossipee,—

Insert in the second paragraph after the word "Convention," the words "whenever in the opinion of the majority of the committee the public good requires it, and in any event," so that the resolution as amended shall read as follows:

WHEREAS, The United States of America is engaged in the great international conflict now on, in which the citizens of New Hampshire are doing their full share, and because of the

fact of this great war, conditions of all kinds are constantly changing so that the standard of yesterday is not the standard of today:

*Resolved*, That when this Convention adjourns at the morning session it adjourns to the call of a committee, consisting of the President and one member from each county, such call to issue for the reconvening of this Convention, whenever in the opinion of the majority of the Committee the public good requires it, and in any event, within one year after the conclusion of the present war and the establishment of peace, such call to be seasonable for the submission of such proposed amendments, as may be agreed upon, at the succeeding biennial election.

Question being on the amendment offered by Mr. Woodbury of Woodstock to the resolution of Mr. Kenison of Ossipee,—

Mr. Kenison of Ossipee accepted the amendment offered by Mr. Woodbury of Woodstock.

Question being on the resolution of Mr. Kenison of Ossipee as amended,—

*Mr. Howe of Concord*.—Mr. President, I will ask you to listen to me very briefly. I hope I may be able to reach an agreement with the great majority of the gentlemen here that as to the large number of matters presented—there are nineteen, I believe,—that this Convention at this time is not so situated as to give to all of these propositions the time required. I think you will all agree with me in that. Now if you agree with me as to that, I wish to call your attention to the situation as it impresses me here today. There were certain timber people who said that we should remain in session and deal with their project. Their project was to be exempt, not absolutely exempt, but to decrease the taxation of timber; they wanted us to stay here and deal with that proposition and that proposition only, and then go home. That was taken care of yesterday. Now there remains one other reason, one further subject has been

urged upon us this morning, that we should stay here and deal with one further proposition. The bond salesman wants us to stay here and make a market for his bonds. Should we stay here for that purpose? This matter of the taxation of intangibles, whatever its merits are, we must agree, I think, it cannot be dealt with at this time. Shall we stay here for that purpose? I say no. I think we had best adjourn; that we should vote in favor of the resolution which has been offered, and then come back when the time is ripe, and take up every one of the nineteen or more propositions; refer them to committees in the regular way, thrash them out, treat them all fairly, and then adjourn finally. Take a recess now until that time. That, it seems to me, is the part of wisdom. The vote the other day, 167 to 183, or thereabouts, would probably have been the other way; we probably would have adjourned then but for our absentees. I hope we will take the right course, the fair course, and adjourn now as the resolution calls for, and come back at the proper time and deal with every man's proposition that is presented here.

*McNulty of Manchester*.—I was going to suggest, gentlemen, that the previous speaker, the gentleman who got up here to make an amendment which would adjourn this Convention, that he request the National Committee, both Democratic and Republican, to postpone the election of our next Congress until after the war. The gentlemen who are anxious to adjourn this Convention simply use the war as a subterfuge. You have given until July 11th to submit resolutions, which shows that we are here for business. Those who want an adjournment have used all kinds of dilatory methods and with all have failed. The majority of the members know, and the people of New Hampshire know, that our Constitution needs amending to be in harmony with the true spirit of democracy.

*Mr. Schellenberg of Manchester*.—Mr. President and Gentlemen, if this question is to be voted upon it seems the majority of delegates are here; some have traveled by automobile, some have come by train, and some have walked, and if we are going home we want to go home.

Mr. Schellenberg of Manchester demanded the yeas and nays.

*Mr. Emerson of Milford*.—We all like a horse trot in the fall, and we get nervous when they keep starting the horses a dozen times before they make the race. But they keep starting them

till they start right. Another illustration I want to bring before you from my family life: God blessed me with as good a wife as He gave me a mother; but there comes times in my life when I get nervous and I have to pack my grip and leave my wife for two or three days until I get back to normal again. It is an experience we have all had. We started out in this Convention by calling each other names, slackers, and such things, and we all got nervous and irritable. We have made a false start. It is apparent we have got to have a change. Let's pack our grips and go home and get normal again. We can consider these questions for the present apart, and then come back here for their final discussion and determination at some later date.

Mr. Emerson of Milford moved the previous question.

Question being shall the main question now be put,—

On a *viva voce* vote the previous question was ordered.

Mr. Lewis of Amherst raised the point of order that no provision was made in the rules of the Convention for the ordering of the previous question.

The President ruled the point not well taken.

Question being on the resolution of Mr. Kenison of Osipee,—

*Mr. Lee of Concord.* —I rise for a parliamentary inquiry. I believe in division, but in justice to the man who called for the yeas and nays I think you should ask him to withdraw.

*The President.*—Mr. Schellenberg's call was not supported by the requisite number.

*Mr. Brennan of Peterborough.*—I rise for a parliamentary inquiry. There is no provision in this motion as to how the committee will be appointed. I suppose in the absence of that it would be appointed by the Chair.

*The President.*—In the absence of any other provisions the committee will be appointed by the Chair.

Mr. Lyford of Concord demanded the yeas and nays.

The demand was seconded by ten delegates in the Convention.

*Mr. Quimby of Concord*.—I rise for information. Was the amendment offered by the gentleman from Woodstock accepted or rejected by the mover?

*The President*.—It was accepted by the mover. The question is on the resolution of Mr. Kenison.

*Mr. Emerson of Milford*.—There is an inquiry in this section as to whether this means a final adjournment now or whether the Convention sits again if this resolution is adopted?

*The President*.—It is not a final adjournment. There are some matters in connection with the payroll and other things that have to come up before final adjournment.

*Mr. Emerson of Milford*.—And this Convention will sit again if this motion is adopted?

*The President*.—This Convention will necessarily sit again if this resolution is adopted; if this resolution is adopted it does not mean an immediate adjournment at this time but takes effect when this session does finally adjourn.

YEAS, 230.

Aldrich of Dalton, Amey, Annis, Ayres, Bailey of Sunapee, Baker of Hudson, Ball, Barnard, Bartlett of Hanover, Bartlett of Pittsfield, Barton, Bates of Exeter, Beaudoin, Beede, Belanger of Concord, Bell, Bennett, Benway, Bergquist, Blanchard, Booth, Bowker, Brennan, Brown of Berlin, Brown of Concord, Brown of Hampton, Brown of Manchester, Bullock, Buntten of Dunbarton, Burbank, Butler, Buxton, Byrne, Callahan, Carpenter, Cavanaugh, Chandler, Chase of Ward 5, Concord; Clark of Acworth, Clarke of Walpole, Cobleigh, Cogan, Cole of Stark, Cox, Coy, Curtis of Berlin, Curtis of Northumberland, Dame, Damon, Davis of Croydon, Davis of Hopkinton, Davis of Middleton, Dean, Dearborn of Belmont, Dearborn of Effingham, Demond, Deschenes, Dickinson, Dort, Dow, Duffy, Eastman of Allenstown, Eastman of Weare, Eaton, Edgerly of Tuftonboro, Ela, Elliot, Emerson of Hampstead, Emerson of Manchester, Emerson of Milford, English, Evans of Jefferson, Farrell, Faulkner, Fellows, Fessenden, Foisie, Foote, Foss,

Foster, French of Moultonborough, Gaffney, Gage, Gall, Garland, George, Gibson, Gilchrist, Gordon of New Ipswich, Grant, Gray, Greer, Hale, Hallinan, Hancock, Hayford, Haynes, Head, Hodgman, Holt, Hopkins, Horne, Howard, Howe, Hoyt of Newington, Hoyt of Sandwich, Hubbard, Hull, Hunkins, Huntress, Hutchins of Berlin, Hutchins of Stratford, Johnson of Pittsburg, Jones of New Durham, Kelley, Keniston of Ellsworth, Kenison of Ossipee, Kennett, Keyes, Kingsbury, Kittredge, Knox, Lang, Lawrence, Leach, Lee, Lewis, Locke, Lombard, Lyford, Marston, Mason of Keene, Mason of Marlborough, McElroy, McHugh, Meader of Rochester, Meader of Wolfeboro, Metcalf, Moffett, Morrison, Morse of Hebron, Morse of Littleton, Newman, Nichols, Norwood, Noyes, Ordway of Greenland, Ordway of New Hampton, Page of Gilmanton, Parker of Benton, Parker of Claremont, Parker of Goffstown, Pattee, Patterson, Perkins of Laconia, Pettee, Philbrook of Laconia, Pike, Pillsbury of Londonderry, Pillsbury of Sutton, Plummer of Laconia, Plummer of Milton, Price, Prince, Pulsifer, Randall, Reed, Rice, Ripley, Rogers of Newport, Rollins, Sargent of Concord, Sargent of Pittsfield, Sawyer, Schellenberg, Scott, Shaw of Chichester, Shaw of Nashua, Shaw of Salisbury, Shirley, Sleeper, Smith of Brentwood, Smith of Center Harbor, Smith of Dover, Smith of Haverhill, Snow, Spaulding of Manchester, Stevens, Stoddard, Stone, Streeter, Stuart, Sturtevant, Sweeny, Tarbell, Templeton, Towle of Newmarket, Towle of Northwood, Towne, Trickey, True, Varney, Veazie, Waldron, Walker, Waterman, Wellman of Keene, Wendall, Wentworth of Dover, Wescott, Wheeler of Manchester, Whitcomb, Whitman, Whitney of Barnstead, Whitney of Goshen, Wight, Willey, Wilson of Manchester, Wilson of Salem, Winn, Woodbury of Woodstock, Woodward, Worthen, Young of Easton, Young of Laconia, Hoyt of Hanover ( $\frac{1}{2}$  vote), Updyke ( $\frac{1}{2}$  vote.)

NAYS, 79½.

Abbe, Angell, Bailly of Manchester, Beaudette, Belanger of Manchester, Bresnahan, Brown of Deerfield, Bunton of Manchester, Chapman, Chase of Manchester, Childs, Clement, Coakley, Connor of Bristol, Connor of Manchester, Davis of Manchester, Devost, Dillingham, Doyle, Duncan of Jaffrey, Eagan, Edgar, Flanders, French of Concord, Frost, Frye, Gagnon, Gingras, Goodwin, Gorham, Hall of Langdon, Hammond, Hayden, Hodges, Hughes, Hurd of Dover, Hurd of Sharon, Laberge, Lapointe, Ledoux, Livingston, Magan, Mahoney, McAllister, G. I.; McCarthy of Ward 4, Manchester; McCarthy of Ward 13, Manchester; McDaniel of Barrington, McKeon, McLaughlin, McNulty, Morrill, Moses, Mower, Newell, Parsons, Pearson, Peirce, Pillsbury of Manchester, Pound, Quimby, Rand, Rines, J. J. Ryan, P. J. Ryan, Sayers, Schoolcraft, Shaw of North Hampton, Smart of Bennington, Smart of Dover, Smith of Deering, Thompson, Tobey, Tuck, Weber, Wells, Welpley, Wheeler of Canterbury, Wright, Young of Rochester, Tyng (½ vote).

PAIRS.

Cole of Rochester, voting yes, was paired with Goulding of Conway, voting no.

McDaniel of Nottingham, voting yes, was paired with Welch of Dover, voting no.

Two hundred and thirty votes having been recorded in the affirmative and seventy-nine and one-half votes in the negative, the resolution was adopted.

Question being on the motion offered by Mr. Duncan of Jaffrey,—

On a *viva voce* vote the negative prevailed.

Mr. French of Moultonborough offered the following resolution:

*Resolved*, That the official stenographers be directed to make a copy of the debates *verbatim*, and that they be paid in full for their services in copying said debates the usual compensation of twenty-five cents for each hundred words, and that their account be audited by the Governor, who shall draw his warrant for the same.

*Resolved*, That the Secretary of the Convention be instructed to supervise the printing of the Journal of the Convention, eliminating such extraneous remarks as do not apply directly to the subject under discussion, and all unnecessary tabular matter, and to prepare and cause to be printed therewith a proper and extended index, under suitable headings, for ready reference to names, towns, and subjects; and that his bill for compensation therefor, when audited and approved by the Governor and Council, be allowed and paid.

*Resolved*, That the Secretary be instructed to procure 2,800 printed copies of the Journal of the Proceedings of the Convention up to the time of adjournment on June 7, 1918, 600 copies of which shall be bound in pamphlet form and distributed by the Secretary to the members of the Convention as soon as possible.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Lyford of Concord the Convention took a recess until 1.30 o'clock this afternoon.

#### AFTER RECESS.

The Convention was called to order at 1.30 o'clock.

Mr. French of Moultonborough, for the Committee on Finance, presented the following report and recommended its adoption.

We recommend that the Secretary be authorized to make up the pay-roll of the members of this Convention as follows:

Three days' services at \$3 per day for 437 members ..... \$3,933.00

That the officers and employes be allowed the respective sums placed opposite their names:

A. Chester Clark, Secretary.....	59.00
Bernard W. Carey, Assistant Secretary.....	59.00
Walter J. A. Ward, Sergeant-at-Arms.....	16.00
Rev. Archibald Black, Chaplain.....	10.00
Guy S. Neal, Doorkeeper .....	10.50
George Lawrence, Doorkeeper.....	10.50
Albert P. Davis, Doorkeeper .....	10.50
Edward K. Webster, Doorkeeper.....	10.50
George Goodhue, Warden of Coat Room.....	10.50
John C. O'Hare, Assistant Warden of the Coat Room .....	10.50
M. J. Diamond, Messenger .....	10.50
Joseph H. Lane, Page .....	7.50
Walter Pillsbury, Page .....	7.50
Margaret A. Conway, Official Stenographer....	22.50

That the following bills for incidental expenses be allowed:

Western Union Telegraph Company.....	.86
J. H. Forster, Rental of Typewriter.....	1.00
Edson C. Eastman Co., stationery and supplies.	23.94

And the total amount of all the above bills, as approved by the Finance Committee, is... \$4,213.80

That all other bills in connection with the session of this Convention be approved by the Governor and Council, who shall draw his warrant for the same.

The report of the Finance Committee was accepted and the recommendations adopted.

Mr. Tobey of Temple offered the following resolution:

*Resolved*, That the delegates of this Convention agree to accept payment for their services in thrift stamps rather than cash, the thrift stamps to be mailed to each delegate in lieu of the usual check, and the State Treasurer be and is hereby requested to pay the same in accordance with the provisions of this resolution.

Question being on the resolution of Mr. Tobey of Temple,—

Mr. Newell of Alstead offered the following amendment:

Add at the end of said resolution the words, "and each town shall be credited with the amount due the delegate or delegates from such town."

Question being on the amendment of Mr. Newell of Alstead,—

Mr. Newell of Alstead withdrew his amendment.

Question being on the resolution of Mr. Tobey of Temple,—

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Spaulding of Manchester the following resolution was adopted:

*Resolved*, That the Secretary of State be instructed to reimburse members and officers of the Convention for their actual expenditures for railroad transportation and the Governor is authorized to draw his warrant for the same.

Mr. Pound of Wolfeboro offered the following resolution and moved the adoption thereof by a rising vote:

WHEREAS, A large part of the world is at war and those ideals of justice and liberty for which this nation has always stood are in grave peril; be it therefore

*Resolved*, That this Constitutional Convention of New Hampshire, assembled in regular session at Concord, June 7, 1918, does hereby express its loyalty to the administration in its conduct of the war, and hereby pledges itself to the support of those measures looking to peace with victory for the allied arms.

Question being on the adoption of the resolution of Mr. Pound of Wolfeboro,—

On a rising vote the resolution was unanimously adopted.

#### APPOINTMENT OF COMMITTEE.

The President announced the following named gentlemen as the members of the committee provided for in the resolution relating to the reconvening of the Convention at a future date:

Albert O. Brown of Manchester, President, *ex officio*.  
Rockingham County, John Scammon of Exeter.  
Strafford County, Leslie P. Snow of Rochester.  
Carroll County, Arthur E. Kenison of Ossipee.  
Belknap County, William A. Plummer of Laconia.  
Merrimack County, James O. Lyford of Concord.  
Hillsborough County, Charles S. Emerson of Milford.

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Cheshire County, Harris H. Rice of Rindge.  
Sullivan County, Jesse M. Barton of Newport.  
Grafton County, Edwin J. Bartlett of Hanover.  
Coös County, John C. Hutchins of Stratford.

On motion of Mr. Emerson of Milford the Convention adjourned subject to the call of the committee provided for in the resolution relating to the reconvening of the Convention at a future date.

BERNARD W. CAREY,  
*Assistant Secretary.*

A true record.

Attest:

BERNARD W. CAREY,  
*Asst. Secretary.*



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